

**MINUTES OF THE CITY-COUNTY COUNCIL  
AND  
SPECIAL SERVICE DISTRICT COUNCILS  
OF  
INDIANAPOLIS, MARION COUNTY, INDIANA**

**REGULAR MEETINGS  
MONDAY, NOVEMBER 9, 2015**

The City-County Council of Indianapolis, Marion County, Indiana and the Indianapolis Police Special Service District Council, Indianapolis Fire Special Service District Council and Indianapolis Solid Waste Collection Special Service District Council convened in regular concurrent sessions in the Council Chamber of the City-County Building at 7:22 p.m. on Monday, November 9, 2015, with Councillor Lewis presiding.

Councillor Cain led the opening prayer and invited all present to join her in the Pledge of Allegiance to the Flag.

**ROLL CALL**

The President instructed the Clerk to take the roll call and requested members to register their presence on the voting machine. The roll call was as follows:

*26 PRESENT: Barth, Cain, Clay, Evans, Freeman, Gooden, Gray, Hickman, Holliday, Jackson, Lewis, Lutz, Mansfield, Mascari, McHenry, McQuillen, Miller, Moriarty Adams, Oliver, Osili, Pfisterer, Robinson, Sandlin, Shreve, Simpson, Tew*  
*3 ABSENT: Adamson, Hunter, Scales*

A quorum of twenty-six members being present, the President called the meeting to order.

**INTRODUCTION OF GUESTS AND VISITORS**

Councillor Barth recognized his wife, Jessica. Councillor Moriarty Adams recognized former Mayor Bart Peterson. Councillor Freeman asked all those who have served in the armed services both on the Council and in the audience to stand and be recognized in honor of the upcoming Veterans Day. Councillor Jackson recognized State Representative Cherrish Pryor, Gretchen White, Parking Association, and Rufus Myers, Indianapolis Housing Agency. Councillor Pfisterer recognized Phil Votaw, Westside Community Development Corporation. Councillor Oliver presented a poster showing all the members of his family, 33 in all, who have served in the armed forces. Councillor Robinson recognized Pike Township School Board member Phillip Abram. Councillor Simpson recognized radio personality and community activist Amos Brown, who passed this week, and stated that he will be missed and remembered for all his contributions to this community. Councillor Hickman recognized the mascot from Indy Fuel. Councillor

McQuillen recognized community small business owner, Denise Herd. Councillor Jackson recognized Judge Sheryl Lynch.

## **OFFICIAL COMMUNICATIONS**

The President called for the reading of Official Communications. The Clerk read the following:

TO ALL MEMBERS OF THE CITY-COUNTY COUNCIL AND POLICE, FIRE AND SOLID WASTE COLLECTION SPECIAL SERVICE DISTRICT COUNCILS OF THE CITY OF INDIANAPOLIS AND MARION COUNTY, INDIANA

Ladies And Gentlemen :

You are hereby notified the REGULAR MEETINGS of the City-County Council and Police, Fire and Solid Waste Collection Special Service District Councils will be held in the City-County Building, in the Council Chambers, on Monday, November 9, 2015, at 7:00 p.m., the purpose of such MEETINGS being to conduct any and all business that may properly come before regular meetings of the Councils.

Respectfully,  
s/Maggie A. Lewis  
President, City-County Council

October 16, 2015

TO PRESIDENT LEWIS AND MEMBERS OF THE CITY-COUNTY COUNCIL AND POLICE, FIRE AND SOLID WASTE COLLECTION SPECIAL SERVICE DISTRICT COUNCILS OF THE CITY OF INDIANAPOLIS AND MARION COUNTY, INDIANA:

Ladies and Gentlemen:

Pursuant to the laws of the State of Indiana, I caused to be published in the *Court & Commercial Record* and in the *Indianapolis Star* on Wednesday, October 21, 2015 a copy of a Notice of Public Hearing on Proposal Nos. 322, 323, 326 and 328, 2015, said hearing to be held on Monday, November 9, 2015, at 7:00 p.m. in the City-County Building.

Respectfully,  
s/NaTrina DeBow  
Clerk of the City-County Council

November 5, 2015

TO PRESIDENT LEWIS AND MEMBERS OF THE CITY-COUNTY COUNCIL AND POLICE, FIRE AND SOLID WASTE COLLECTION SPECIAL SERVICE DISTRICT COUNCILS OF THE CITY OF INDIANAPOLIS AND MARION COUNTY, INDIANA:

Ladies and Gentlemen:

Pursuant to the laws of the State of Indiana, I caused to be published in the *Court & Commercial Record* and in the *Indianapolis Star* on Monday, November 9, 2015 a copy of a Notice of Public Hearing regarding a possible franchise contract with BlueIndy, LLC, said hearing to be held on Thursday, November 19, 2015, at 5:30 p.m. in Room 260 of the City-County Building.

Respectfully,  
s/NaTrina DeBow  
Clerk of the City-County Council

October 23, 2015

TO PRESIDENT LEWIS AND MEMBERS OF THE CITY-COUNTY COUNCIL AND POLICE, FIRE AND SOLID WASTE COLLECTION SPECIAL SERVICE DISTRICT COUNCILS OF THE CITY OF INDIANAPOLIS AND MARION COUNTY, INDIANA:

Ladies and Gentlemen:

I have approved with my signature and delivered this day to the Clerk of the City-County Council, NaTrina DeBow, the following ordinances:

FISCAL ORDINANCE NO. 34, 2015 – appropriates \$100,000 in the 2015 Budget of the Department of Metropolitan Development (Consolidated County General Fund) to provide a public purpose grant to Renew Indianapolis

*November 9, 2015*

FISCAL ORDINANCE NO. 35, 2015 - appropriates \$4.7 million in the 2015 Budget of the Department of Public Safety, Indianapolis Metropolitan Police Department

FISCAL ORDINANCE NO. 36, 2015 - adopts the annual budget for the City of Indianapolis and Marion County for 2016

POLICE SPECIAL SERVICE DISTRICT FISCAL ORDINANCE NO. 1, 2015 - approves the tax levy and rate for the Police Special Service District for 2016

FIRE SPECIAL SERVICE DISTRICT FISCAL ORDINANCE NO. 1, 2015 - approves the tax levy and rate for the Fire Special Service District for 2016

SOLID WASTE COLLECTION SPECIAL SERVICE DISTRICT FISCAL ORDINANCE NO. 1, 2015 - approves the tax levy and rate for the Solid Waste Collection Special Service District for 2016

GENERAL ORDINANCE NO. 67, 2015 – amends the Code to create the Woodruff Place Economic Improvement District

GENERAL ORDINANCE NO. 68, 2015 - amends the Code to create a new non-reverting police infrastructure improvement fund

GENERAL ORDINANCE NO. 69, 2015 - amends the Code to create a new non-reverting police cruiser fund

GENERAL RESOLUTION NO. 18, 2015 - ratifies the authorization of loading zones established established by the board of public works, located on East Street, near Walnut Street and Market Street (Districts 9 and 15)

SPECIAL RESOLUTION NO. 42, 2015 - recognizes the Men's Connect Boot Camp of Emmanuel Missionary Baptist Church

s/Gregory A. Ballard, Mayor

## **ADOPTION OF THE AGENDA**

The President proposed the adoption of the agenda as distributed.

Councillor Freeman moved to suspend the Rules of the Council and move Proposal No. 351, 2015, under Introduction of Proposals, up on the agenda for action as the first item under Special Orders-Final Adoption. Councillor Lutz seconded the motion.

Councillor Mansfield asked if procedurally, this item needs to go under Public Hearing since it is not going through the normal committee process. Fred Biesecker, General Counsel, said that this type of proposal does not have the notice of public hearing requirement. It is a general resolution and requires only 18 votes to advance it to the agenda for action.

President Lewis asked Mr. Biesecker to explain why this needs to be advanced this evening. Mr. Biesecker said that he forwarded Rolls Royce's explanation earlier to Councillors. This administration has taken the position that this proposal does not require Council approval, but at the October 21, 2015 Metropolitan Development Committee (MDC) meeting, the parties agreed that each are entitled to their conflicting inconsistent legal arguments, but that the matter would move forward before the MDC, and then come before the Council at their meeting this evening. He said that this is taken out of order, as the MDC has already acted on it, but all parties did agree to bring it to the Council after the MDC approval.

Councillor Robinson asked if this advances today, if there will be no public testimony on the proposal. Mr. Biesecker stated that this is correct.

Councillor Oliver said that this did come to the Council at the 11<sup>th</sup> hour, but he spoke with the union president and felt comfortable with the proposal to help maintain employees levels. He asked his colleagues to support the motion, as this will be a win-win for everyone.

Councillor Mansfield said that she is usually very strict about following the process, but she recognizes that Rolls Royce did try to follow the procedure, but roadblocks were put in their way that did not allow them to get onto the Council's agenda before tonight. Therefore, she will support the proposal.

The motion to suspend the Rules and add Proposal No. 351, 2015 for action this evening carried on the following roll call vote; viz:

*26 YEAS: Barth, Cain, Clay, Evans, Freeman, Gooden, Gray, Hickman, Holliday, Jackson, Lewis, Lutz, Mansfield, Mascari, McHenry, McQuillen, Miller, Moriarty Adams, Oliver, Osili, Pfisterer, Robinson, Sandlin, Shreve, Simpson, Tew*  
*0 NAYS:*  
*3 ABSENT: Adamson, Hunter, Scales*

President Lewis stated that Proposal No. 351, 2015 will be added to the agenda as the first item under Final Adoption. Without further objection, the agenda was adopted as amended.

### **APPROVAL OF THE JOURNAL**

The President called for additions or corrections to the Journals of October 12, 2015. There being no additions or corrections, the minutes were approved as distributed.

### **PRESENTATION OF PETITIONS, MEMORIALS, SPECIAL RESOLUTIONS, AND COUNCIL RESOLUTIONS**

PROPOSAL NO. 377, 2015. The proposal, sponsored by Councillor McQuillen, recognizes the public service of Representative Cherrish Pryor. Councillor McQuillen read the proposal and presented Rep. Pryor with a copy of the document and a Council pin. Rep. Pryor thanked the Council for the recognition. Councillor McQuillen moved, seconded by Councillor Moriarty Adams, for adoption. Proposal No. 377, 2015 was adopted by a unanimous voice vote.

Proposal No. 377, 2015 was retitled SPECIAL RESOLUTION NO. 43, 2015, and reads as follows:

#### **CITY-COUNTY SPECIAL RESOLUTION NO. 43, 2015**

A SPECIAL RESOLUTION recognizing the public service of Representative Cherrish Pryor.

WHEREAS, a free nation rests upon the willingness of responsible citizens who voluntarily and actively participate in the governmental process; and

WHEREAS, the pursuit and achievement of elective office with its attendant commitments of self, time, and energy represents one of the highest expressions of citizenship participation; and

WHEREAS, Representative Pryor has, with integrity and sincerity, served her constituents and the people of Indianapolis well since 2007, when she was elected to serve as Councillor of District 7; and

WHEREAS, while serving as Councillor, Representative Pryor served on the Public Safety and Criminal Justice, Rules & Public Policy and the Investigative Election Committees of the City-County Council; and

WHEREAS, after serving on the Council for nearly one year, Representative Pryor was elected to the Indiana House of Representatives in November, 2008. She was named the Marion County Judiciary Legislator of the Year in 2010 and has been awarded for her efforts to improve the lives of children by Child Advocates; and

November 9, 2015

WHEREAS, Representative Pryor serves her community in many capacities including her membership on a myriad of board and committees, including: the Peace Learning Center; the Indiana Breast Cancer Awareness Trust Fund; the Pike Township YMCA Campaign Committees; the Indianapolis Museum of Art Government Relations Committee; the Top Ladies of Distinction; the Tillman H. Harpole American Legion Post 249 Auxiliary; the Indianapolis Chapter of the National Association of the Advancement of Colored People; the Concerned Clergy; and the Indiana University Alumni Association; as well as the executive committee for the National Black Caucus of State Legislators; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The Indianapolis City-County Council proudly recognizes the public service and dedication of Representative Cherrish Pryor.

SECTION 2. On behalf of the citizens of Indianapolis, the Council extends its appreciation and gratitude to Representative Pryor, and encourages her to remain an active participant in the life of this community.

SECTION 3. The Mayor is invited to join in this resolution by affixing his signature hereto.

SECTION 4. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 378, 2015 The proposal, sponsored by Councillor Barth, recognizes the Indy Fuel. Councillor Barth read the proposal and presented representatives with copies of the document and Council pins. Scott Hillman, head coach, and Sean ?, Chief Executive Officer, thanked the Council for the recognition. Councillor Barth moved, seconded by Councillor ?, for adoption. Proposal No. 378, 2015 was adopted by a unanimous voice vote.

Proposal No. 378, 2015 was retitled SPECIAL RESOLUTION NO. 44, 2015, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 44, 2015

A SPECIAL RESOLUTION recognizing the Indy Fuel.

WHEREAS, the Indy Fuel takes the ice for their second season of play during the 2015-2016 East Coast Hockey League (ECHL) campaign; and

WHEREAS, the Indy Fuel will play 36 home games at the historic Indiana Farmers Coliseum at the Indiana State Fairgrounds; and

WHEREAS, the Indy Fuel serves as a proud "AA" affiliate of the National Hockey League's Stanley Cup Champion Chicago Blackhawks and the American Hockey League's Rockford IceHogs; and

WHEREAS, the Indy Fuel is led by Chairman Jim Hallett, Chief Executive Officer and Chief Operating Officer Sean Hallett, and Head Coach and Executive Vice President of Hockey Operations Scott Hillman; and

WHEREAS, in 2014, the Indy Fuel began its inaugural ECHL season, bringing professional hockey back to Indianapolis, a city with a long and storied tradition of pro hockey; and

WHEREAS, the Indy Fuel proudly offers the finest, affordable family fun to Central Indiana residents and their families; and

WHEREAS, the Indy Fuel is committed to fostering the growth of youth hockey in Central Indiana at a grassroots level through the Fuel Tank at Fishers and the team's game night 50/50 raffle; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The Indianapolis City-County Council proudly recognizes the Indy Fuel.

SECTION 2. The Council congratulates the Indy Fuel and wishes the team a successful season.

SECTION 3. The Mayor is invited to join in this resolution by affixing his signature hereto.

SECTION 4. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 379, 2015. The proposal, sponsored by Councillor Evans, recognizes the 100 Black Men of Indianapolis, Inc. Dollars and Sense Financial Literacy Program. Councillor Evans stated that representatives were not able to attend this evening, and he moved, seconded by Councillor Gray, to postpone Proposal No. 379, 2015 until November 30, 2015. Proposal No. 379, 2015 was postponed by a unanimous voice vote.

PROPOSAL NO. 380, 2015. The proposal, sponsored by Councillors Gray, Lewis and Barth, approves a schedule of regular council meetings for the year 2016. President Lewis stated that Councillors should have received a copy of the council meeting dates prior to the meeting for review.

Councillor Freeman thanked the leadership for not scheduling the Council's first meeting of the year the first week in January.

Councillor Barth moved, seconded by Councillor Moriarty Adams, for adoption. Proposal No. 380, 2015 was adopted on the following roll call vote; viz:

*26 YEAS: Barth, Cain, Clay, Evans, Freeman, Gooden, Gray, Hickman, Holliday, Jackson, Lewis, Lutz, Mansfield, Mascari, McHenry, McQuillen, Miller, Moriarty Adams, Oliver, Osili, Pfisterer, Robinson, Sandlin, Shreve, Simpson, Tew*

*0 NAYS:*

*3 ABSENT: Adamson, Hunter, Scales*

Proposal No. 380, 2015 was retitled COUNCIL RESOLUTION NO. 49, 2015, and reads as follows:

**CITY-COUNTY COUNCIL RESOLUTION NO. 49, 2015**

A PROPOSAL FOR A COUNCIL RESOLUTION approving a schedule of regular council meetings for the year 2016.

**BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:**

SECTION 1. The City-County Council hereby approves the following schedule of regular meetings for the year 2016:

- |                               |                                 |
|-------------------------------|---------------------------------|
| (1) Monday, January 11, 2016  | (9) Monday, July 18, 2016       |
| (2) Monday, February 08, 2016 | (10) Monday, August 15, 2016    |
| (3) Monday, February 29, 2016 | (11) Monday, September 12, 2016 |
| (4) Monday, March 21, 2016    | (12) Monday, September 26, 2016 |
| (5) Monday, April 11, 2016    | (13) Monday, October 10, 2016   |
| (6) Monday, May 09, 2016      | (14) Monday, November 14, 2016  |
| (7) Monday, June 06, 2016     | (15) Monday, December 05, 2016  |
| (8) Monday, June 27, 2016     | (16) Monday, December 19, 2016  |

SECTION 2. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

**INTRODUCTION OF PROPOSALS**

PROPOSAL NO. 332, 2015. Introduced by Councillor Simpson. The Clerk read the proposal entitled: "A Proposal for a Special Resolution which inducement resolution for Mapleton-Fall Creek Development Corporation and Black and White Investments, LLC for the issuance of

economic development revenue bonds in an amount not to exceed \$12,000,000 to provide a portion of the cost for acquisition, construction and equipping of a new multi-housing facility consisting of 114 residential units located at 507 East 29th Street (Districts 9,15)"; and the President referred it to the Metropolitan and Economic Development Committee.

PROPOSAL NO. 333, 2015. Introduced by Councillors Lewis, Barth and Gray. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which reappoints Patricia Polis McCrory to the City-County Internal Audit Committee"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 334, 2015. Introduced by Councillors Lewis, Barth and Gray. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which reappoints Ezra Burdix to the Indianapolis Marion County Building Authority Board of Trustees"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 335, 2015. Introduced by Councillors Lewis, Barth and Gray. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which reappoints Glenn Lawrence to the Indianapolis Marion County Building Authority Board of Trustees"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 336, 2015. Introduced by Councillors Moriarty Adams and Pfisterer. The Clerk read the proposal entitled: "A Proposal for a General Resolution which approves the disposal of certain parcels of real property that have an appraised value of \$50,000 or more by the Board of Commissioners of Marion County"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 337, 2015. Introduced by Councillor Moriarty Adams. The Clerk read the proposal entitled: "A Proposal for a Special Resolution which approves the lease of City-owned property at 222 East Market Street to the Indianapolis City Market Corporation"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 338, 2015. Introduced by Councillors Mansfield and Pfisterer. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves transfers totaling \$2,166,524 in the 2015 Budgets of the Marion County Auditor, Voters Registration, Cooperative Extension, Telecom and Video Services Agency, Office of Finance and Management, and Office of Corporation Counsel (County General, Auditor's Ineligible Deduction and Consolidated County General Funds) to cover costs associated with the 27th Pay and other various year-end project costs"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 339, 2015. Introduced by Councillor Gooden. The Clerk read the proposal entitled: "A Proposal for a General Resolution which authorizes the issuance of a general revenue note in an aggregate principal amount not to exceed \$12,000,000 for the purpose of providing funds to be applied to pay a portion of the planning costs incurred in connection with a proposed criminal justice center, and appropriating the proceeds thereof"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 340, 2015. Introduced by Councillors Robinson, Lewis, Barth and Gray. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which reappoints Lena Hackett to the Metropolitan Development Commission"; and the President referred it to the Metropolitan and Economic Development Committee.

PROPOSAL NO. 341, 2015. Introduced by Councillors Robinson, Lewis, Barth and Gray. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which reappoints Adam Kirsch to the Metropolitan Development Commission"; and the President referred it to the Metropolitan and Economic Development Committee.

PROPOSAL NO. 342, 2015. Introduced by Councillors Robinson, Lewis, Barth and Gray. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which reappoints John Lewis to the Metropolitan Development Commission"; and the President referred it to the Metropolitan and Economic Development Committee.

PROPOSAL NO. 343, 2015. Introduced by Councillors Robinson, Lewis, Barth and Gray. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which reappoints William Selm to the Metropolitan Development Commission"; and the President referred it to the Metropolitan and Economic Development Committee.

PROPOSAL NO. 344, 2015. Introduced by Councillors Robinson, Lewis, Barth and Gray. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which reappoints Mary Clark to the Metropolitan Board of Zoning Appeals, Division I"; and the President referred it to the Metropolitan and Economic Development Committee.

PROPOSAL NO. 345, 2015. Introduced by Councillors Robinson, Lewis, Barth and Gray. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which reappoints T. D. Robinson to the Metropolitan Board of Zoning Appeals, Division I"; and the President referred it to the Metropolitan and Economic Development Committee.

PROPOSAL NO. 346, 2015. Introduced by Councillors Robinson, Lewis, Barth and Gray. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which appoints Elizabeth Gore to the Metropolitan Board of Zoning Appeals, Division II"; and the President referred it to the Metropolitan and Economic Development Committee.

PROPOSAL NO. 347, 2015. Introduced by Councillors Robinson, Lewis, Barth and Gray. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which reappoints David Hampton to the Metropolitan Board of Zoning Appeals, Division II"; and the President referred it to the Metropolitan and Economic Development Committee.

PROPOSAL NO. 348, 2015. Introduced by Councillors Robinson, Lewis, Barth and Gray. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which reappoints Jennifer Keefe to the Metropolitan Board of Zoning Appeals, Division III"; and the President referred it to the Metropolitan and Economic Development Committee.

PROPOSAL NO. 349, 2015. Introduced by Councillor Lewis. The Clerk read the proposal entitled: "A Proposal for a General Resolution which approves \$830,833 in expenditures from Community Revitalization Enhancement District (CRED) funds in 2016 for various improvements benefitting the Lafayette Square CRED District (International Marketplace)"; and the President referred it to the Metropolitan and Economic Development Committee.

PROPOSAL NO. 350, 2015. Introduced by Councillors Lewis and Miller. The Clerk read the proposal entitled: "A Proposal for a General Resolution which approves the statement of benefits for Eli Lilly and Company, an applicant for tax abatement for property located in an economic revitalization area"; and the President referred it to the Metropolitan and Economic Development Committee.



PROPOSAL NO. 351, 2015. Introduced by Councillors Lewis and Miller. The Clerk read the proposal entitled: "A Proposal for a General Resolution which approves the statement of benefits of Rolls Royce Corporation, an applicant for tax abatement for property located in an economic revitalization area and a TIF allocation area"; and the President referred it to the Metropolitan and Economic Development Committee.

PROPOSAL NO. 352, 2015. Introduced by Councillors Robinson and Gooden. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves a transfer of \$75,000 in the 2015 Budget of the Department of Code Enforcement (Permits Fund) to cover costs associated with the 27th pay"; and the President referred it to the Metropolitan and Economic Development Committee.

PROPOSAL NO. 353, 2015. Introduced by Councillors Gray, Lutz and Jackson. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves the appropriation of e-rate proceeds in the amount of \$350,451 into the Indianapolis Marion County Public Library's General Fund for the purpose of financing an upgrade in the network equipment"; and the President referred it to the Municipal Corporations Committee.

PROPOSAL NO. 354, 2015. Introduced by Councillors Oliver, Lewis, Barth and Gray. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which reappoints Joshua Bowling to the Board of Parks and Recreation"; and the President referred it to the Parks and Recreation Committee.

PROPOSAL NO. 355, 2015. Introduced by Councillors Oliver, Lewis, Barth and Gray. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which reappoints Joseph Wynns to the Board of Parks and Recreation"; and the President referred it to the Parks and Recreation Committee.

PROPOSAL NO. 356, 2015. Introduced by Councillors Moriarty Adams and Lewis. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which appoints LaKichia Wilson to the Marion County Community Corrections Advisory Board"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 357, 2015. Introduced by Councillors Moriarty Adams, Lewis, Barth and Gray. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which reappoints Evan Hawkins to the Board of Public Safety"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 358, 2015. Introduced by Councillors Moriarty Adams, Lewis, Barth and Gray. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which reappoints Regina Marsh to the Board of Public Safety"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 359, 2015. Introduced by Councillor Moriarty Adams. The Clerk read the proposal entitled: "A Proposal for a General Resolution which amends General Resolution No. 18, 2014 regarding the approval of certain public purpose grants totaling \$323,750 from the Drug Free Community Fund"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 360, 2015. Introduced by Councillor Lewis. The Clerk read the proposal entitled: "A Proposal for a General Resolution which approves certain public purpose grants totaling \$315,000 from the Drug Free Community Fund"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 361, 2015. Introduced by Councillors Moriarty Adams and Pfisterer. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves transfers of \$3,407,000 and additional appropriations of \$6,033,314 in the 2015 Budgets of the Department of Public Safety, Forensic Services Agency, Marion Superior Court, Community Corrections, Marion County Sheriff, and Marion County Prosecutor (City Cumulative Capital, Fire General, IMPD General, Community Corrections Work Release, Federal Grants, County General, Deferral Program Fee, Sheriff's Medical Care of Inmates, Public Safety Income Tax, State Law Enforcement, Sheriff's Equitable Sharing, and Guardian Ad Litem Funds) to cover costs for these agencies through the end of the year, including the 27th pay"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 362, 2015. Introduced by Councillors Adamson, Lewis, Barth and Gray. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which reappoints Neil Bloede to the Board of Public Works"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 363, 2015. Introduced by Councillors Adamson, Lewis, Barth and Gray. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which reappoints Gregory Garrett to the Board of Public Works "; and the President referred it to the Public Works Committee.

PROPOSAL NO. 364, 2015. Introduced by Councillors Adamson, Lewis, Barth and Gray. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which reappoints Henry Williams to the Board of Public Works"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 365, 2015. Introduced by Councillor Scales. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes turn restrictions on Delmar and Rucker Roads and Binford Boulevard (District 4)"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 366, 2015. Introduced by Councillor Miller. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes interesection controls at Nelson and Allen Avenues (District 19)"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 367, 2015. Introduced by Councillor Cain. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes a speed limit reduction of 25 mph in the Castlewood subdivision (District 5)"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 368, 2015. Introduced by Councillor McHenry. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes a speed limit reduction of 25 mph in The Trees II subdivision (District 6)"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 369, 2015. Introduced by Councillor Osili. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes speed limit reductions on West Walnut Street from North Concord Street to North Holmes Avenue (District 15)"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 370, 2015. Introduced by Councillor Miller. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes a speed limit reduction of 25 mph on East McCarty Street from South East Street to Virginia Avenue (District 19)"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 371, 2015. Introduced by Councillor Adamson. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves a transfer of \$690,000 and an additional appropriation of \$670,000 in the 2015 Budget of the Department of Public Works (Fleet Services, Transportation General and Parks General Funds) to cover end of the year costs, including the 27th and 53rd pays"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 372, 2015. Introduced by Councillor Evans. The Clerk read the proposal entitled: "A Proposal for a Special Ordinance which approves an interlocal cooperation agreement between the City and County and the Town of Zionsville for the financing, design, construction and improvement to the intersection of West 96th Street and Zionsville Road"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 373, 2015. Introduced by Councillor Cain. The Clerk read the proposal entitled: "A Proposal for a Special Ordinance which approves an interlocal cooperation agreement between the City and County and the City of Fishers for the financing, design, construction and improvement to East 96th Street between Lantern Road and Cumberland Road"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 374, 2015. Introduced by Councillor Tew. The Clerk read the proposal entitled: "A Proposal for a General Resolution which approves a request of the Department of Public Works to purchase certain real estate interests, owned by the Riviera Club, for construction of a public works project"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 375, 2015. Introduced by Councillor Pfisterer. The Clerk read the proposal entitled: "A Proposal for a General Resolution which approves a request of the Department of Public Works to purchase certain real estate interests, owned by Ponderosa Associates, LLC, for construction of a public works project"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 376, 2015. Introduced by Councillors Lewis, Barth and Gray. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which reappoints Barbara Howard to the Alcoholic Beverage Board of Marion County"; and the President referred it to the Rules and Public Policy Committee.

Councillor Simpson moved, seconded by Councillor Moriarty Adams, for a five-minute recess. Consent was given. The President reconvened the City-County Council at 8:19 p.m.

#### **SPECIAL ORDERS - PRIORITY BUSINESS**

PROPOSAL NO. 381, 2015, PROPOSAL NOS. 382-384, 2015 and PROPOSAL NOS. 385-389, 2015. Introduced by Councillor Robinson. Proposal No. 381, 2015, Proposal Nos. 382-384,

2015, and Proposal Nos. 385-389, 2015 are proposals for Rezoning Ordinances certified by the Metropolitan Development Commission on October 22 and 23, 2015. The President called for any motions for public hearings on any of those zoning maps changes. There being no motions for public hearings, the proposed ordinances, pursuant to IC 36-7-4-608, took effect as if adopted by the City-County Council, were retitled for identification as REZONING ORDINANCE NOS. 91-99, 2015, the original copies of which ordinances are on file with the Metropolitan Development Commission, which were certified as follows:

REZONING ORDINANCE NO. 91, 2015.

2015-ZON-037

6926 EAST 16TH STREET (APPROXIMATE ADDRESS)

WARREN TOWNSHIP, CD #7

WILLIAM H. STARKEY requests Rezoning of 1.00 acre from the C-4 and C-5 districts to the C-5 classification to provide for motorcycle, ATV and watercraft repair, sales and service.

REZONING ORDINANCE NO. 92, 2015.

2015-ZON-031

3017 SHRIVER AVENUE AND 333 WEST 31ST STREET (APPROXIMATE ADDRESS)

CENTER TOWNSHIP, CD #8

PATHWAY MISSIONARY BAPTIST CHURCH, by David Kingen and Justin Kingen request Rezoning of 1.64 acres, from the D-5, SU-1 and C-4 districts to the SU-1 classification to provide for religious uses.

REZONING ORDINANCE NO. 93, 2015.

2015-ZON-070

931 FLETCHER AVENUE (APPROXIMATE ADDRESS)

CENTER TOWNSHIP, CD #19

931 FLETCHER LLC, by Jake Dietrich request Rezoning of 1.23 acres from the SU-2 districts to the D-P classification to provide for the construction of a maximum five-story multi-family building, with a maximum density of 70 units per acre.

REZONING ORDINANCE NO. 94, 2015.

2015-CZN-821

2024, 2030 and 2104 and 2112 East Washington Street, 10 North Jefferson Avenue

CENTER TOWNSHIP, CD #16,

METRO360, by Max Kennerk and Joel Walsman request Rezoning of one acre from the D-5, C-2 and C-5 districts to the C-S classification to provide for cidery operations, beer brewing, distillation of liquor and spirits, tap room, tasting room, bottling of alcoholic and nonalcoholic beverages, coffee shop and coffee roasting, event center, catering services, parking areas and C-3 uses, except for automobile oil change or lubrication shops, check cashing or validation service, gasoline service station, tattoo parlor and pawn shops.

REZONING ORDINANCE NO. 95, 2015.

2015-ZON-052

1502 NORTH BILTMORE AVENUE (APPROXIMATE ADDRESS)

WAYNE TOWNSHIP, CD #14

ROMAN CATHOLIC ARCHDIOCESE OF INDIANAPOLIS, by David Kingen and Justin Kingen request Rezoning of 0.26 acre from the D-3 district to the SU-1 classification to provide for religious uses.

REZONING ORDINANCE NO. 96, 2015.

2015-ZON-058

4128 EAST MICHIGAN STREET (APPROXIMATE ADDRESS)

CENTER TOWNSHIP, CD #10

HARRY W. AND SHARON L. MCNEELY, by H. Kim TeKolste request Rezoning of 0.04 acre from the C-2 district to the C-3 classification to provide for a convenience store.

REZONING ORDINANCE NO. 97, 2015.

2015-ZON-060

820, 824 AND 920 EAST COUNTY LINE ROAD (APPROXIMATE ADDRESS)

PERRY TOWNSHIP, CD #23

NORTHPOINTE ENGINEERING AND SURVEYING, by Donna Jo Smithers request

Rezoning of 1.77 acres from the D-A district to the C-1 classification to provide for professional offices.

November 9, 2015

REZONING ORDINANCE NO. 98, 2015.

2015-ZON-063

4405 MASSACHUSETTS AVENUE (APPROXIMATE ADDRESS)

CENTER TOWNSHIP, CD #10

DREXEL HOLDINGS 1, LLC, by James W. Scott request Rezoning of 1.15 acres from the D-5 and C-7 districts to the C-7 classification.

REZONING ORDINANCE NO. 99, 2015.

2015-CZN-819

620 SOUTH BELMONT AVENUE

CENTER AND WAYNE TOWNSHIP, CD #19;

ASG US II, LLC / SOUTH BELMONT, LLC % John Demaree, by David Kingen and Justin Kingen request

Rezoning of 17.66 acres from the I-3-U and C-1 districts to the C-7 classification.

### **SPECIAL ORDERS - PUBLIC HEARING**

PROPOSAL NO. 123, 2015. The proposal, sponsored by Councillor Robinson, is a rezoning ordinance for Center Township, District 19, 340 South White River Parkway, West Drive (2014-CZN-835). The proposal was called out for public hearing on May 11, 2015 by Councillor Miller and then postponed by the Council on May 11, June 8, July 13, August 17, September 14, September 28, 2015, and October 12, 2015.

Councillor Miller made the following motion:

Madam President:

The petitioners continue to negotiate a resolution of the rezoning case at 340 South White River Parkway, West Drive, and petitioner has consented to a continuance of the hearing scheduled for this meeting.

I, therefore, move that the public hearing on Proposal No. 123, 2015 (Rezoning Docket No. 2014-CZN-835) be postponed and rescheduled for November 30, 2015.

Councillor Lutz seconded the motion, and Proposal No. 123, 2015 was postponed by a unanimous voice vote.

PROPOSAL NO. 322, 2015. Councillor Mansfield reported that the Administration and Finance Committee heard Proposal No. 322, 2015 on October 20, 2015. The proposal, sponsored by Councillor Moriarty Adams, appropriates \$380,452 in the 2015 Budget of the Marion County Recorder (Enhanced Access and ID Security Protection Funds) to fund costs associated with a project to make records more accessible to the public. By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

The President called for public testimony at 8:22 p.m. There being no one present to testify, Councillor Mansfield moved, seconded by Councillor Moriarty Adams, for adoption. Proposal No. 322, 2015 was adopted on the following roll call vote; viz:

*24 YEAS: Barth, Cain, Clay, Evans, Freeman, Gooden, Hickman, Holliday, Lewis, Lutz, Mansfield, Mascari, McHenry, McQuillen, Miller, Moriarty Adams, Oliver, Osili, Pfisterer, Robinson, Sandlin, Shreve, Simpson, Tew*

*0 NAYS:*

*2 NOT VOTING: Gray, Jackson*

*3 ABSENT: Adamson, Hunter, Scales*

Proposal No. 322, 2015 was retitled FISCAL ORDINANCE NO. 42, 2015, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 42, 2015

A FISCAL ORDINANCE amending the City-County Annual Budget for 2015 (City-County Fiscal Ordinance No. 258, 2014) by appropriating an additional Three Hundred Eighty Thousand Four Hundred Fifty-Two dollars (\$380,452) for purposes of the Marion County Recorder's Office.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures, the necessity for which has arisen since the adoption, the City-County Annual Budget for 2015 is hereby amended to reflect additional appropriations hereinafter stated for purposes of the Marion County Recorder's Office.

The following additional appropriation is hereby approved:

<b>FUND</b>	<b>CHAR 1</b>	<b>CHAR 2</b>	<b>CHAR 3</b>	<b>CHAR 4</b>	<b>CHAR 5</b>	<b>TOTAL</b>
Enhanced Access Fund (20291)	0	0	233,116	0	0	233,116
ID Security Protection Fund (20221)	0	0	147,336		0	147,336

SECTION 2. Upon approval of this, and other pending approvals, the 2014 year end and projected 2015 year end fund balances are as follows:

<b>FUND</b>	Projected 2015 Year-End balance	Projected 2016 Year-End balance
Enhanced Access Fund (20291)	766,851	1,009,071
ID Security Protection Fund (20221)	1,496,240	164,228

SECTION 3. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 323, 2015. Councillor Mansfield reported that the Administration and Finance Committee heard Proposal No. 323, 2015 on October 20, 2015. The proposal, sponsored by Councillor Moriarty Adams, approves an additional appropriation of \$563,748 and a transfer of \$400,000 in the 2015 Budget of the Information Services Agency (Information Services Fund) to cover the costs associated with enterprise-wide network infrastructure improvements. By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

The President called for public testimony at 8:24 p.m. There being no one present to testify, Councillor Mansfield moved, seconded by Councillor Moriarty Adams, for adoption. Proposal No. 323, 2015 was adopted on the following roll call vote; viz:

24 YEAS: Barth, Cain, Clay, Evans, Freeman, Gooden, Hickman, Holliday, Lewis, Lutz, Mansfield, Mascari, McHenry, McQuillen, Miller, Moriarty Adams, Oliver, Osili, Pfisterer, Robinson, Sandlin, Shreve, Simpson, Tew

0 NAYS:

2 NOT VOTING: Gray, Jackson

3 ABSENT: Adamson, Hunter, Scales

Proposal No. 323, 2015 was retitled FISCAL ORDINANCE NO. 43, 2015, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 43, 2015

A FISCAL ORDINANCE amending the City-County Annual Budget for 2015 (City-County Fiscal Ordinance No. 258, 2014) appropriating an additional Five Hundred Sixty Three Thousand Seven Hundred and Forty Eight dollars (\$563,748) and transferring appropriation of Four Hundred Thousand dollars (\$400,000) from Character 1 to Character 3 for purposes of the Information Services Agency.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures, the necessity for which has arisen since the adoption, the City-County Annual Budget for 2015 is hereby amended to reflect additional appropriations hereinafter stated for purposes of the Information Services Agency, as listed in sections 2 through 6.

SECTION 2. Appropriates \$563,748 from the Information Services Fund for the purposes of covering the costs associated with enterprise-wide network infrastructure improvements.

SECTION 3. Transfers \$400,000 of appropriation from Character 1 to Character 3 from the Information Services Fund for the purposes of covering the costs associated with enterprise-wide network infrastructure improvements.

The following additional appropriation is hereby approved:

<u>FUND</u>	<u>CHAR 1</u>	<u>CHAR 2</u>	<u>CHAR 3</u>	<u>CHAR 4</u>	<u>CHAR 5</u>	<u>TOTAL</u>
Information Services Fund	0	0	563,748	0	0	563,748
Information Services Fund	(400,000)	0	400,000	0	0	0

SECTION 4. Except to the extent of matching funds, if any, approved in this ordinance, the council does not intend to use the revenues from any local tax regardless of source to supplement or extend the appropriation for the agencies or projects authorized by this ordinance. The supervisor of the agency or project, or both, and the controller are directed to notify in writing the city-county council immediately upon receipt of any information that the agency or project is, or may be, reduced or eliminated.

SECTION 5. Upon approval of this, and other pending approvals, the 2014 year end and projected 2015 year end fund balances are as follows:

<u>FUND</u>	Projected 2015 Year-End balance	Projected 2016 Year-End balance
Information Services Fund	2,105,196	1,177,370

SECTION 6. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 326, 2015. Councillor Moriarty Adams reported that the Public Safety and Criminal Justice Committee heard Proposal No. 326, 2015 on October 21, 2015. The proposal, sponsored by Councillors Moriarty Adams and Pfisterer, approves additional appropriations of \$783,000 and transfers of \$1,062,375 in the 2015 Budgets of the Marion County Public Defender, Marion County Circuit and Superior Courts, and Department of Public Safety (County General, Metro Emergency Communications and City Cumulative Capital Funds) to fund various public safety initiatives. By a 6-1 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

The President called for public testimony at 8:27 p.m. There being no one present to testify, Councillor Moriarty Adams moved, seconded by Councillor Simpson, for adoption. Proposal No. 326, 2015 was adopted on the following roll call vote; viz:

24 YEAS: Barth, Cain, Clay, Evans, Freeman, Gooden, Hickman, Holliday, Lewis, Lutz, Mansfield, Mascari, McHenry, McQuillen, Miller, Moriarty Adams, Oliver, Osili, Pfisterer, Robinson, Sandlin, Shreve, Simpson, Tew

0 NAYS:

2 NOT VOTING: Gray, Jackson

3 ABSENT: Adamson, Hunter, Scales

Proposal No. 326, 2015 was retitled FISCAL ORDINANCE NO. 44, 2015, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 44, 2015

A FISCAL ORDINANCE amending the City-County Annual Budget for 2015 (City-County Fiscal Ordinance No. 258, 2014) by transferring One Million Sixty-Two Thousand Three Hundred Seventy-Five Dollars (\$1,062,375) and appropriating an additional Seven Hundred Eighty-Three Thousand Dollars (\$783,000) for purposes of those departments and agencies listed below.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures, the necessity for which has arisen since its adoption, the City-County Annual Budget for 2015 is hereby amended to reflect the increases and reductions hereinafter stated for purposes of the following departments and agencies, as listed in sections 2 through 10:

SECTION 2. The Marion County Public Defender Agency, additional appropriation of \$400,000 and a transfer of \$100,000 in the County General Fund to cover expenses associated with Death Penalty and Life Without Parole Cases. The following changes to appropriations are hereby approved:

<u>FUND</u>	<u>CHAR 1</u>	<u>CHAR 2</u>	<u>CHAR 3</u>	<u>CHAR 4</u>	<u>TOTAL</u>
County General (10101)	(100,000)	0	500,000	0	400,000

SECTION 3. The Marion County Circuit Court, transfers \$112,751 in the County General Fund to cover costs associated with the build out for a new Paternity Court and the implementation of new copy equipment. The Marion County Circuit Court, reduction of \$123,720 in the County General Fund for the transfer of funds to Marion County Superior Court. The following changes to appropriations are hereby approved:

<u>FUND</u>	<u>CHAR 1</u>	<u>CHAR 2</u>	<u>CHAR 3</u>	<u>CHAR 4</u>	<u>TOTAL</u>
County General (10101)	(236,471)	0	100,000	12,751	(123,720)

SECTION 4. The Marion County Superior Court, additional appropriation of \$123,720 in the County General fund funded by a transfer from Marion County Circuit Court and transfers \$349,737 in the County General Fund to cover costs associated with the build out of a new Juvenile Court Room and the implementation of new copy equipment. The following changes to appropriations are hereby approved:

<u>FUND</u>	<u>CHAR 1</u>	<u>CHAR 2</u>	<u>CHAR 3</u>	<u>CHAR 4</u>	<u>CHAR 5</u>	<u>TOTAL</u>
County General (10101)	35,000	0	(283,736)	372,456	0	123,720

SECTION 5. The Department of Public Safety, Public Safety Communications, additional appropriation of \$383,000 and a transfer of \$35,000 from Character 2 to Character 4 in the Metro Emergency Communications Fund to cover costs associated with the CAD. The following changes to appropriations are hereby approved:

<u>FUND</u>	<u>CHAR 1</u>	<u>CHAR 2</u>	<u>CHAR 3</u>	<u>CHAR 4</u>	<u>TOTAL</u>
Metro Emergency Communications (15651)	0	(35,000)	383,000	35,000	383,000

SECTION 6. The Department of Public Safety, Homeland Security, transfers \$217,447 in the City Cumulative Capital Fund to cover contractual costs for maintenance on the Warning Siren system. The following changes to appropriations are hereby approved:



<b>FUND</b>	<b>CHAR 1</b>	<b>CHAR 2</b>	<b>CHAR 3</b>	<b>CHAR 4</b>	<b>TOTAL</b>
City Cumulative Capital (45602)	0	0	217,447	(217,447)	0

SECTION 7. Below is a recap of the total changes incorporated in this ordinance, by fund.

<b>FUND</b>	<b>CHAR 1</b>	<b>CHAR 2</b>	<b>CHAR 3</b>	<b>CHAR 4</b>	<b>CHAR 5</b>	<b>TOTAL</b>	<b>Revenues Not Previously Recognized</b>	<b>Fund Balance Change</b>
County General (10101)	0	0	400,000	0	0	400,000	0	-400,000
County General (10101)	-100,000	0	100,000	0	0	0	0	0
County General (10101)	-236,471	0	100,000	12,751	0	-123,720	0	123,720
County General (10101)	35,000	0	-283,736	372,456	0	123,720	0	-123,720
MECA (15651)		-35,000	0	35,000	0	0	0	0
MECA (15651)	0	0	383,000	0	0	383,000	0	-383,000
City Cumulative (45602)	0	0	217,447	-217,447	0	0	0	0
<b>Totals</b>	<b>-301,471</b>	<b>-35,000</b>	<b>951,711</b>	<b>167,760</b>	<b>0</b>	<b>783,000</b>	<b>0</b>	<b>-783,000</b>

SECTION 8. Upon approval of this ordinance, and other ordinances pending before the City-County Council, the estimated 2015 and 2016 year-end unappropriated fund balances of funds that will be reduced as a result of this ordinance are:

	Projected 2015 Year-End Balance	Projected 2016 Year-End Balance
County General	6,844,923	4,273,214
MECA	500,720	477,529
City Cumulative Fund	6,278,707	3,293,128

SECTION 9. Except to the extent of matching funds, if any, approved in this ordinance, the council does not intend to use the revenues from any local tax regardless of source to supplement or extend the appropriation for the agencies or projects authorized by this ordinance. The supervisor of the agency or project, or both, and the controller are directed to notify in writing the city-county council immediately upon receipt of any information that the agency or project is, or may be, reduced or eliminated.

SECTION 10. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 328, 2015. In Chairman Adamson's absence, Councillor Osili reported that the Public Works Committee heard Proposal No. 328, 2015 on October 22, 2015. The proposal, sponsored by Councillor Adamson, approves an additional appropriation of \$195,000 in the 2015 Budget of the Department of Public Works (Parks General Fund) to cover costs associated with the maintenance and upkeep of parks facilities. By a 4-2 vote, the Committee reported the proposal to the Council with the recommendation that it do pass as amended.

The President called for public testimony at 8:29 p.m. There being no one present to testify, Councillor Osili moved, seconded by Councillor Moriarty Adams, for adoption. Proposal No. 328, 2015 was adopted on the following roll call vote; viz:

24 YEAS: Barth, Cain, Clay, Evans, Freeman, Gooden, Hickman, Holliday, Lewis, Lutz, Mansfield, Mascari, McHenry, McQuillen, Miller, Moriarty Adams, Oliver, Osili, Pfisterer, Robinson, Sandlin, Shreve, Simpson, Tew

0 NAYS:

2 NOT VOTING: Gray, Jackson

3 ABSENT: Adamson, Hunter, Scales

Proposal No. 328, 2015 was retitled FISCAL ORDINANCE NO. 45, 2015, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 45, 2015

A FISCAL ORDINANCE amending the City-County Annual Budget for 2015 (City-County Fiscal Ordinance No. 258, 2014) by appropriating an additional One Hundred Twenty-One Thousand Five Hundred Forty-Eight Dollars (\$121,548) for purposes of those departments and agencies listed below.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures, the necessity for which has arisen since its adoption, the City-County Annual Budget for 2015 is hereby amended to reflect the increases and reductions hereinafter stated for purposes of the following departments and agencies, as listed in sections 2 through 5:

SECTION 2. The Department of Public Works, an additional appropriation of \$121,548 in Character 3 in the 2015 Budget from the Parks General Fund to cover costs associated with the maintenance and upkeep of Parks facilities. The following changes to appropriations are hereby approved:

FUND	CHAR 1	CHAR 2	CHAR 3	CHAR 4	TOTAL
Parks General (15201)		0	121,548	0	121,548

SECTION 3. Upon approval of this ordinance, and other ordinances pending before the City-County Council, the estimated 2015 and 2016 year-end unappropriated fund balances of funds that will be reduced as a result of this ordinance are:

	Projected 2015 Year-End Balance	Projected 2016 Year-End Balance
Parks General	4,512,761	1,854,990

SECTION 4. Except to the extent of matching funds, if any, approved in this ordinance, the council does not intend to use the revenues from any local tax regardless of source to supplement or extend the appropriation for the agencies or projects authorized by this ordinance. The supervisor of the agency or project, or both, and the controller are directed to notify in writing the city-county council immediately upon receipt of any information that the agency or project is, or may be, reduced or eliminated.

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

**SPECIAL ORDERS - FINAL ADOPTION**

PROPOSAL NO. 351, 2015. The proposal, sponsored by Councillors Lewis and Miller, approves the statement of benefits of Rolls Royce Corporation, an applicant for tax abatement for property located in an economic revitalization area and a TIF allocation area. Councillor Freeman stated that he asked to move this forward because this is a huge investment and win for this City and will further their standing in the nation and the world. This company has a world-class reputation and this is a huge coup for the City that they wish to build here. He moved, seconded by Councillor Lutz, for adoption.

Councillor Tew said that he is concerned about the process, and that of another proposal they will be hearing later, and it seems unprecedented to move these things outside of the normal process.

Paul Webber, Rolls Royce Corporation, said that this project represents a significant investment by Rolls Royce in Indianapolis. The existing building was built in World War II, and they have been making roof repairs yearly. He said that they would like to rebuild with more modern infrastructure. They have a strong union agreement, and this project includes a \$600 million investment from Rolls Royce, which they could not announce until the investors in London were informed. This is the reason the timing is off and they were not able to go through the full committee process. They are finalizing the budget now, and this will allow them to release the funds to rebuild these plants on the west side.

Councillor Mansfield said that, like Councillor Tew, she is also troubled by the lack of following normal procedures. However, in talking with interested parties, it is clear that Mayor Ballard again tried to circumvent the Council process, telling the petitioner they did not have to appear before the Council; and Council leadership has also been aware of this project for some time. She said that this project is a little different, because they are dealing with the European government and different governing laws; and therefore, she understands why they are going outside the process on this particular proposal. She urged her colleagues to look at the merits of the actual proposal, instead of the process in deciding how to vote.

Councillor Simpson asked about the tax increment financing (TIF) fund for this area. Bart Brown, Council Chief Financial Officer (CFO), said that there is no debt outstanding, but this TIF remains open. He said that leaving the TIF open can encourage more developments. There is no impact to the City if they do nothing, and they are not giving out any cash, but only providing a 10-year abatement if the project takes place, with a sliding scale down each year. He said that if Rolls Royce makes the full investment they have stated, they will make a net gain in tax revenue. Ryan Hunt, Department of Metropolitan Development (DMD), said that during the life of the abatement, Rolls Royce will pay \$15 million in real property taxes, and \$13 million in personal property. The savings is less than 50% on property taxes and 40% on personal.

Councillor Oliver asked about the impact on employment levels or job security. Mr. Webber said that they have several thousand union employees at this site. Some union jobs may end because of the need for less roof repairs, but they hope to do that through attrition. Others may need training for new technology to help with the upkeep of a newer building.

Councillor Freeman said that many communities in the world would gladly accept a \$600 million investment by Rolls Royce. It is rare that they would get a deal this size that they would have to act upon in this way, but he does not want to give the corporation any hesitation to think that they are not valued in this community. He said that it is imperative to act on this tonight for the betterment of the community, and he thanked Rolls Royce for trusting their facility to this City.

Councillor Miller said that he is glad to have this in his district, and is very impressed with the project. He said that the union representatives were on the stage with the corporation members when they made the announcement about this investment. He said that one thing that is missing from the discussion is all the other things Rolls Royce does to benefit this community as a whole. He attended their 100-year celebration and he is grateful for their economic investment, as well as their charitable investment, in this City. He added that there are also clawback provisions in place if they do not meet their requirements.

Councillor Simpson asked if this project is done if there will be money in the TIF for more development in the area. Mr. Brown said that there are projections for increment revenue, and since there is no longer any debt service to pay, all of it will go into the TIF and be available for other projects. Councillor Simpson said that this is important for the neighborhood for further development.

Councillor Lutz said that he supports the proposal, but he asked if there is no outstanding debt, why the TIF is still open. Mr. Brown said that he is not sure why it was not closed, but it may be because they felt a lot of the area could benefit from leaving the TIF open, to provide more opportunities for investment.

Councillor Cain thanked Rolls Royce for being a great corporate partner, both in Indianapolis, and the country, and said that their technology is on the cutting edge to help protect the nation and the military. She asked to be added as a co-sponsor.

Proposal No. 351, 2015 was adopted on the following roll call vote; viz:

*24 YEAS: Barth, Cain, Clay, Evans, Freeman, Gooden, Hickman, Holliday, Lewis, Lutz, Mansfield, Mascari, McHenry, McQuillen, Miller, Moriarty Adams, Oliver, Osili, Pfisterer, Robinson, Sandlin, Shreve, Simpson, Tew*  
*0 NAYS:*  
*2 NOT VOTING: Gray, Jackson*  
*3 ABSENT: Adamson, Hunter, Scales*

Councillors Miller and Lutz asked for consent to explain their votes. Consent was given. Councillor Miller said that there is a proposal to close this TIF pending in committee and they will be looking at it again before the end of the year. Councillor Lutz said that he hopes a unanimous strong vote will show London that Rolls Royce is welcome here.

Proposal No. 351, 2015 was retitled GENERAL RESOLUTION NO. 19, 2015, and reads as follows:

**CITY-COUNTY GENERAL RESOLUTION NO. 19, 2015**

PROPOSAL FOR A GENERAL RESOLUTION to approve the statements of benefits of Rolls Royce Corporation (hereinafter referred to as "Applicant"), an applicant for tax abatement for property located in an allocation area as defined by IC § 36-7-15.1-26.

WHEREAS, IC § 6-1.1-12.1 allows a partial abatement of property taxes attributable to redevelopment, rehabilitation activities or installation of new equipment in Economic Revitalization Areas (each hereinafter referred to as a "Project"); and

WHEREAS, pursuant to IC § 6-1.1-12.1, the Metropolitan Development Commission of Marion County, Indiana, acting as the Redevelopment Commission of the City of Indianapolis, Indiana (hereinafter referred to as "MDC") is empowered to designate Economic Revitalization Areas; and

WHEREAS, IC § 6-1.1-12.1 requires an applicant for Economic Revitalization Area designation to provide a statement of benefits and requires the MDC, before it makes a decision to designate the area as an Economic Revitalization Area, to determine that (i) the estimated value of a Project is reasonable for projects of that nature, (ii) the estimated employment at the indicated annual salaries for a Project identified in the statement of benefits can reasonably be expected, (iii) a Project can be reasonably expected to yield the benefits identified in the statement of benefits and (iv) the totality of benefits arising from a Project is sufficient to justify Economic Revitalization Area designation; and

WHEREAS, pursuant to IC § 6-1.1-12.1-2(k), a statement of benefits for property located within an allocation area, as defined by IC § 36-7-15.1-26, may not be approved unless the City-County Council of Indianapolis and Marion County, Indiana (hereinafter referred to as "Council") adopts a resolution approving the statement of benefits; and

WHEREAS, the Applicant has submitted Statements of Benefits to the MDC as part of its application for Economic Revitalization Area designation for property where Applicant's Projects will occur, located within an allocation area, as defined by IC § 36-7-15.1-26; and

WHEREAS, MDC has approved Applicant's Statements of Benefits, prior to adoption from the Council, to allow the designation of the Economic Revitalization Area and related tax abatements pursuant to IC § 6-1.1-12.1; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The Council hereby approves the Statements of Benefits that were submitted to the MDC, as part of the application for Economic Revitalization Area designation, by Rolls Royce Corporation.

SECTION 2. This resolution shall be in effect from and after its passage by the Council and compliance with Ind. Code § 36-3-4-14.

PROPOSAL NO. 284, 2015. Councillor Hickman reported that the Rules and Public Policy Committee heard Proposal No. 284, 2015 on October 26, 2015 and November 9, 2015. The proposal, sponsored by Councillors Lewis, Osili, Lutz and Shreve, approves the issuance of Economic Development Tax Increment Revenue Bonds in an amount not to exceed \$75 million to fund certain infrastructure improvements within the Consolidated Redevelopment Allocation Area commonly known as 16 Tech. By a 5-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

Councillor Oliver asked how many building trades employees they anticipate using in this project. John Griffin, Union representative, said that it would depend on who does the job. Councillor Oliver asked about the ratio of skilled workers in the Indiana Plan. Mr. Griffin said that they help people get trained for positions, and although he does not know the specific numbers, they have skilled individuals available for the work. Councillor Oliver asked if some are already qualified to move into these apprenticeships, while others are not yet there. Mr. Griffin responded in the affirmative. Councillor Oliver asked for the ratio of apprentices to journeymen. Mr. Griffin said that he does not know these numbers off the top of his head. Councillor Oliver said that he is curious about the relationship with this project. Mr. Griffin said that they have made the commitment to 16 Tech to make the Indiana Plan available to provide the workforce needed for this project in any way they can.

Councillor Cain said that they have been hearing about this project for years, starting back when Bart Peterson was Mayor, and there is a real opportunity for this City with this project. She said that there are lots of synergies happening in these bio-tech meetings, and this is very exciting. She said that she believes this project will help to find cures to real medical problems in the world. This is a public-private partnership like they have never seen before, and she heartily supports the project and thanked those involved for doing this important work.

Councillor Simpson asked why the Council should approve this project. David Johnson, President, Central Indiana Corporate Partnership, Inc., said that approval of this proposal will enable this development that has been talked about for a long time, back more than 20 years in public and private consideration. He said that there is an enormous potential in putting this development in the midst of some great communities, encouraging assets to surround it. This is the best chance as a community they have to attract 21<sup>st</sup> Century talent to join them in

Indianapolis. He said that it starts with sciences and health care, but does not end there. He said that companies like Rolls Royce, Cummins, and other technology businesses have tried with great success to attract and retain talent from around the United States. He said that city projects that are by design placed in the heart of the community and connected to the community, are special kinds of developments that attract people to live and invest in their community. He said that they are not developers, but a separate corporation of volunteers. The private sector will be making millions of dollars of investment in the Indiana BioTech , which is designed to appeal to start-up companies. Start-up companies often find it difficult to pay rent, and starting with a major tenant like Biosciences Research Institute will attract other substantial tenants to help pave the way for start-ups. He said that this is a very exciting project with great potential. The property sits isolated from the surrounding area, so there is a need for a bridge to span Fall Creek to go into the park, as well as a basic arterial roadway; but it is a very green site, with a lot of water. The project will also allow for remediation of parts of the land for development, which would never take place without the help of a project of this scale. He said that if the City is willing to help them make it a buildable site, then the private sector will involve themselves. Councillor Simpson asked about the challenges on the property. Mr. Johnson said that the property has various landlords, and in many other cases, developers are not able to get four parties to work together like this; but these landowners have been on board from the beginning. The challenge is to connect this project successfully to the entire community, with jobs, development, community enhancement, resources, and personnel. Councillor Simpson asked how they will keep the Council informed as they move forward. Mr. Johnson said that he is sure that this will be discussed in the project agreement, and they are glad to have the Council's CFO and General Counsel involved in that process. He said that as the active chair of 16 Tech Corporation, the Council has his personal commitment. They will be representing the most significant companies and universities in these industries, and are open to a candid collaboration and being held accountable to their stakeholders and the Council.

Councillor Freeman thanked 16 Tech Corporation for their willingness to invest so much into this project. He said that while the Council is often frustrated with the procedure and process, this project came intentionally to the Council and they have been involved in the process. He said that this will add to the vibrant nature of this City, as Indianapolis has the best companies, great universities and is regarded by many as the sports capital of the world. He said that he is proud to be a part of this coming together for the future of this City.

Councillor Clay thanked Councillor Osili for his involvement in this project, and he asked if the corporation's commitment goes beyond what was shared to other segments of the community to invest in community partnerships to spur ongoing development of other initiatives. Mr. Johnson said that this project is designed to be connected to the community, and that is a fundamental component to the business deal. A certain percentage of every dollar of rent will go into the community development fund to be used for quality of life purposes. This fund will grow over time, and the model is already proven to work in cities like Baltimore and St. Louis. He said that this is a very unique feature to have included in the deal. Councillor Clay asked about the oversight of the investment and configuration of the board. He asked if the board has already been seated. Mr. Johnson said that the 16 Tech Corporation Board has been formed as a supporting organization of the Internal Revenue Service (IRS). They derive tax exemption for public and non-profit organizations, and the majority of the board must be individuals from those supported organizations. The four landowners all qualify as supported organizations, and these individuals have to be the initial members of the board and a majority of the board. Additional board seats will be elected by the initial members, and they have begun to elect those members. Councillor Clay asked how many are needed to complete the board. Mr. Johnson said that the current board is 13, and an additional five members are needed to complete the board. Councillor

Clay said that he is concerned that the remainder of the seats are reflective of the diversity of this community, and much of his support is because of Councillor Osili's involvement. He said that he will hold Mr. Johnson accountable but the remaining seats would be reflective of the community and also live within Marion County.

Councillor Lutz said that he can remember back when Indiana University-Purdue University of Indianapolis was just a dream, and looking at that corridor today, it served as a true transformation project. He said that this project is one of the most significant things they could do in this city, as it will change the City and improve the quality of life for their children and grandchildren.

Councillor Hickman commended Councillor Osili for putting this project on the table and for being brave enough to state his concerns to make sure it fits the aspects this body expects. She said that there are only a handful of projects that she can say she has been so excited about living in this City. She said that this will cause a real transformation, with jobs produced at every economic level for the long haul, and she supports the proposal.

Councillor Pfisterer said that the macro impact of this project is great, but the micro impact it will have on the surrounding communities is even greater. It will impact property values, as well as encourage children in schooling and these types of vocations, and she is very excited about the community development fund. She encouraged her colleagues to support the proposal.

Councillor Oliver asked where they will get the workers for this project. Mr. Johnson said that they will maximize the local inclusion of Marion County residents, at least 25%, which is not a standard provision, but they want to build it as inclusively of this community as possible. He said that this is not a project that will get done in two years, as the full build-out will be five million or more square feet and could take 10 to 15 years. He said that they plan to start with good goals and keep advancing and improving on them. Councillor Oliver asked if they will be using union workers. Mr. Johnson said that he has worked with Mr. Griffin on many projects, and while they still need to have a conversation, he is very committed to working with him and the trades. Councillor Oliver asked Mr. Griffin if they had the capacity to provide skilled workers for this project. Mr. Griffin said that they do. Councillor Oliver asked if the oversight committee will have oversight in the hiring process. Mr. Johnson said that they will enter into agreements with developers and contractors and will include these types of things in their contracts. He said that this is a big project, with over 60 acres of land, and they will have multiple developers, even though they are starting with one.

Councillor Miller said that he is glad the building trades have been a key part of these discussions. He said that his biggest concern is how to explain to his district the spending of \$75 million in one area, when infrastructure is needed in every area. He said that he appreciates the accountability and transparency that has been shown and is extremely happy with the community fund inclusion. He said that the project has been through several hearings, not just before the Rules and Public Policy Committee, but also to the Metropolitan and Economic Development Committee. He said that \$3 million into the community fund as seed, could potentially become very sizable. Betsy McCaw, chief operating officer, said that the community investment fund was very intentional from the beginning. While there could be additional investments up to \$1 million or more a year, they wanted to invest some initially to show that they are here for the long haul. They have asked the City to help in seeding that fund. She said that this will help with pathways for employment, infrastructure improvements for communities, and insuring more jobs coming in the future. She said that the Indiana Plan is an important component of this project,

and they will continue to work with the building trades and EmployIndy, to not only include Marion County residents, but also minorities, women, the disabled and veterans.

Councillor Tew asked if the board will be responsible for the spending of that community fund. Ms. McCaw said that a special committee will be associated with that investment fund, and there will be significant community representation on it to determine what is best for the neighborhoods. They have had many conversations with neighborhood associations to look for representation from the community. She said that they would ultimately like to have some members that could help to leverage dollars and involve capacity building organizations. Mr. Tew said that he has heard the board will be 13 members, but he thought it was 15. Ms. McCaw said that it is a 13 member board, and seven members must be from the supported organizations. Mr. Tew said that this project is still speculative, like placing a bet, that if the infrastructure is there, entities will come. Mr. Johnson said that this is somewhat fair to say, but they are not betting on one developer or corporate partner, but are betting on a site. Once the infrastructure goes in to make the site buildable and usable, at worst, the City ends up with a buildable site. Though it is a risk, they do have things to bring to the site. Councillor Tew said that they are still betting, however, that it will take off. Mr. Johnson said that successive administrations of this City have desired to make this happen. Councillor Tew asked for an estimate of the number of jobs created. Mr. Johnson said that there has been a major study of talent and talent attraction for Indiana, and they asked them to look at 16 Tech specifically. On the first 1.5 million square feet, they have projected 2,678 jobs on that site. Of those, about one-third of them will require technical expertise, which means the other two-thirds will be support or service positions, so that they could potentially have positions for every skill-level. There will also be training and apprenticeship opportunities imbedded in the park. Councillor Tew said that he has already expressed frustration about the speed of this moving through the Council, as it came out of a Rules and Public Policy Committee this evening at 7:00 p.m. and is already on the floor for a vote. He asked what happens to the developers if they do not approve this. Mr. Johnson said that they need infrastructure to solidify the deal with the developers and with the tenants that these developers will bring with them who are interested in being a part of this project at this time. If they cannot move forward, it is doubtful they can get what they need to get done in order to get them on board by the end of the year. He said that he does not want to convey that anyone has threatened to walk, but the complexity of this project as a business transaction was aimed and configured to all happen at once.

Councillor Robinson said that this will transform the west side and move them forward, and he thanked the corporate partners, former Mayor Bart Peterson, and Councillor Osili for all their time and effort on this project.

Councillor Sandlin said that this is not necessarily rushed through, as it was being discussed five years ago when he came on the Council. He said that they may now be able to retain college graduates who now leave the City because there are no jobs for them. He said that he supports this great project.

Councillor Shreve said that everyone seems to like this idea, but this is not the first city to undertake a project like this. He said that investing \$75 million in seed money, he wants to insure that they are objectively getting a good deal, and asked how this compares to other successful innovation districts. Ms. McCaw said that there have been about 12 to 15 similar projects, most notably the one in Baltimore associated with the university and the St. Louis Cortex. These have really hit their stride in the last three years. She said that she does not know for sure, but with eight or nine different segments, as each gets developed, they get access to dollars. They are already at a possible \$177 million TIF, and are getting a pretty good deal. She said that once they



make this site buildable, they believe they will see other private investment of \$80 to \$100 million as a minimum. She said that they know there is interest from several tenants just lying in wait, and they hope to accelerate those developments to leverage these funds. Councillor Shreve said that the project does have risks, but it seems they have great leverage going in.

Councillor Simpson said that he did not see a lot of minorities involved in the St. Louis project, and he would like them to take the extra step to include minorities, so that this community's kids can see the future.

Councillor Osili said that this is an amazing opportunity for Indianapolis and the surrounding areas, but he still has a couple of concerns as a fiscal body. He said that documents have not yet been put in place or shared with the Council, and the Council members are putting their reputations on the line standing behind verbal commitments and letters sent by Mr. Johnson. He said that this could be a great boon to the surrounding community and asked how they grow it. Mr. Johnson said that the letter referred to has been adopted by their initial board of 16 Tech. He said that they are committed to continuing the discussion regarding local and diverse hiring. He added that it would be very helpful if there could be a way to expand the community fund to over \$3 million. Setting 16 Tech up as a supporting organization, they can raise funds from various sources. They will work closely with the community, and the community will help lead that involvement. They could possibly retain a professional firm to help them raise significant dollars, but until the feasibility assessment is finished, it would be difficult to say that they would have "x" amount of dollars for what purposes. He said that he commits that once they have an understanding of who will be involved, he believes they can make that assessment happen. He said that he personally believes it would be possible to have a \$10 to \$15 million campaign, but that would be a very ambitious undertaking. Councillor Osili asked about the time frame to complete full membership of the board. Mr. Johnson said that they are in the process now, and he believes it will be within weeks. He added that he thinks it will be a great board and very reflective of the community, very inclusive and responsive. Councillor Osili said that there is not much diversity now with the seven members. Mr. Johnson said that the remaining members will be more diverse.

Councillor Mascari said that it still seems fishy that this is being shoved down their throats. He moved, seconded by Councillor Cain, to call for the question and end debate. Debate was ended on the following roll call vote; viz:

*18 YEAS: Barth, Cain, Freeman, Gooden, Hickman, Holliday, Lewis, Mansfield, Mascari, McQuillen, Miller, Moriarty Adams, Oliver, Osili, Pfisterer, Robinson, Shreve, Simpson*  
*5 NAYS: Clay, Lutz, McHenry, Sandlin, Tew*  
*3 NOT VOTING: Evans, Gray, Jackson*  
*3 ABSENT: Adamson, Hunter, Scales*

Councillor Hickman moved, seconded by Councillor Osili, for adoption. Proposal No. 284, 2015 was adopted on the following roll call vote; viz:

*23 YEAS: Barth, Cain, Clay, Freeman, Gooden, Hickman, Holliday, Lewis, Lutz, Mansfield, Mascari, McHenry, McQuillen, Miller, Moriarty Adams, Oliver, Osili, Pfisterer, Robinson, Sandlin, Shreve, Simpson, Tew*  
*0 NAYS:*  
*3 NOT VOTING: Evans, Gray, Jackson*  
*3 ABSENT: Adamson, Hunter, Scales*

Proposal No. 284, 2015 was retitled SPECIAL ORDINANCE NO. 3, 2015, and reads as follows:

CITY-COUNTY SPECIAL ORDINANCE NO. 3, 2015

A SPECIAL ORDINANCE authorizing the City of Indianapolis, Indiana, to issue one or more series of its City of Indianapolis, Indiana, Economic Development Tax Increment Revenue Bonds, Series 2015 (with such further series or other designation as determined to be necessary, desirable or appropriate, including such series designation to indicate the year in which the bonds are issued), in a maximum aggregate principal amount not to exceed Seventy-Five Million Dollars (\$75,000,000), and approving and authorizing other actions in respect thereto.

WHEREAS, Indiana Code 36-7-11.9 and 12 (collectively, the “Act”) declares that the financing and refinancing of economic development facilities constitutes a public purpose; and

WHEREAS, pursuant to the Act, the City of Indianapolis, Indiana (the “City”), is authorized to issue revenue bonds for the purpose of financing, reimbursing or refinancing the costs of acquisition, construction, renovation, installation and equipping of economic development facilities in order to foster diversification of economic development and creation or retention of opportunities for gainful employment in or near the City; and

WHEREAS, 16 Tech Community Corporation, one or more subsidiaries or affiliates thereof, and/or one or more entities in which any of the foregoing entities is a member, whether such entity is currently in existence or is to be created following the date hereof (collectively, the “Company”), in cooperation with the City, desires to finance certain projects, additions or improvements within an area of the City generally located along a portion of Indiana Avenue and between 10<sup>th</sup> and 16th Street and commonly referred to as the 16 Tech area, including all or any portion of: (a) the design, construction, renovation, improvement and equipping of certain infrastructure and other local public improvements, including, without limitation, (i) roads, streets, bridges and related infrastructure projects and improvements, (ii) sidewalks and pedestrian connector projects and improvements, (iii) drainage, streetscapes, landscaping and lighting projects and improvements, (iv) pedestrian railway projects, extensions and improvements, and (v) park facilities, greenspace and related improvements; and (b) all utility relocation, acquisition, construction, demolition, renovation, remediation, improvement, excavation, site work preparation and/or equipping projects related to the projects described in clauses (a) and any and all costs related thereto (clauses (a) through and including (b), collectively, the “Project”); and

WHEREAS, the Project will be located along a portion of Indiana Avenue and between 10<sup>th</sup> and 16th Street, commonly referred to as the 16 Tech area located in the downtown area of the City, which is in City-County Council District 15, and is, or will be, located in or physically connected to an allocation area, known as the Consolidated Redevelopment Allocation Area (the “Allocation Area”), previously created by the Metropolitan Development Commission of Marion County, Indiana (the “Metropolitan Development Commission”), acting as the Redevelopment Commission of the City; and

WHEREAS, the Company has advised the Indianapolis Economic Development Commission (the “Economic Development Commission”) and the City concerning the Project, and has requested that the City issue, pursuant to the Act, one or more series of its taxable or tax-exempt Economic Development Tax Increment Revenue Bonds, Series 2015 (with such further or different series designation as may be necessary, desirable or appropriate, including such series designation to indicate the year in which the bonds are issued) (the “Bonds”), in an aggregate principal amount not to exceed Seventy-Five Million Dollars (\$75,000,000), for the purpose of providing funds to (a) pay all or a portion of the costs of the Project by making a portion of the proceeds of such Bonds available to the Company, (b) fund a debt service reserve fund or pay the cost of a premium for a debt service reserve fund surety policy, (c) pay capitalized interest on the Bonds (if necessary), and (d) pay costs incurred in connection with the issuance of the Bonds and all incidental expenses therewith, including the cost of any credit enhancement with respect thereto (if necessary); and

WHEREAS, the Economic Development Commission has rendered a report concerning the proposed financing of economic development facilities for the Company, which facilities consist of the Project, and the Metropolitan Development Commission has been given the opportunity to comment thereon; and

WHEREAS, pursuant to Section 24 of the Act, the Economic Development Commission held a public hearing, following publication of a notice duly given (the “Public Hearing”), for the purpose of receiving evidence and testimony on the Project and matters related to the proposed financing thereof and heard all persons interested in the proceedings and considered written remonstrances and objections, if any; and

WHEREAS, following such Public Hearing, the Economic Development Commission approved a report (the “EDC Report”) and adopted a resolution (the “EDC Resolution”) making findings that the financing of the Project complies with the purposes and provisions of the Act and that such financing will be of benefit to the health and

welfare of the City, and that the Project will not have an adverse competitive effect or impact on any similar facility already constructed or operating in the same market area or in or about Marion County, Indiana; and

WHEREAS, pursuant to and in accordance with the Act, the City desires to provide funds necessary to finance all or a portion of the Project by issuing the Bonds; and

WHEREAS, the Act provides that such revenue bonds may be secured by a trust indenture between an issuer and a corporate trustee; and

WHEREAS, the City intends to issue the Bonds consistent with the terms of this Ordinance and pursuant to a trust indenture, to be dated the first day of the month in which the Bonds are sold or delivered (or such other date as the officers of the City may hereafter approve) (the "Indenture"), by and between the City and a corporate trustee to be selected by the City (the "Trustee"), in order to obtain funds necessary to provide for the financing of all or a portion of the Project in accordance with the terms of one or more financing agreements, each to be dated the first day of the month in which the Bonds are sold or delivered (or such other date as the officers of the City may hereafter approve) (each, a "Financing Agreement"), by and between the City and the Company with respect to the Project and the use of the proceeds of the Bonds; and

WHEREAS, pursuant to the Financing Agreement, the Company will make representations, warranties and commitments with respect to the Project and the use of the proceeds of the Bonds to be provided to the Company in accordance with the terms thereof; and

WHEREAS, no member of the City-County Council has any pecuniary interest in any employment, financing agreement or other contract made under the provisions of the Act and related to the Bonds authorized herein, which pecuniary interest has not been fully disclosed to the City-County Council and no such member has voted on any such matter, all in accordance with the provisions of Indiana Code 36-7-12-16; and

WHEREAS, there has been submitted to the Economic Development Commission for its approval the forms of the Bonds, the Indenture and the Financing Agreement (collectively, the "Financing Documents"), and a form of this proposed Ordinance, which were incorporated by reference in the Economic Development Commission's Resolution adopted on September 28, 2015, which Resolution has been transmitted hereto; and

WHEREAS, the City expects to pay for certain costs of the Bonds or costs related to the Project (collectively, the "Expenditures") prior to the issuance of the Bonds, and to reimburse the Expenditures with proceeds received by the City upon the issuance of the Bonds; and

WHEREAS, the City-County Council desires to declare its intent to reimburse the Expenditures pursuant to Treas. Reg. §1.150-2 and Indiana Code §5-1-14-6(c); and

WHEREAS, based upon the EDC Report and the EDC Resolution, the City-County Council hereby finds and determines that the funding approved by the Economic Development Commission for all or a portion of the Project will be of benefit to the health and general welfare of the citizens of the City, complies with the provisions of the Act and the amount necessary to finance all or a portion of the costs of the Project, together with incidental expenses incurred in connection therewith, will require the issuance, sale and delivery of one or more series of economic development tax increment revenue bonds in an aggregate combined principal amount not to exceed Seventy-Five Million Dollars (\$75,000,000); and

WHEREAS, the Bonds will be payable from the incremental property tax revenues derived from the Allocation Area; now, therefore:

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. After considering the evidence presented in the EDC Report and the EDC Resolution, it is hereby found, determined, ratified and confirmed that the financing of the economic development facilities referred to in the Financing Documents consisting of the Project, the issuance and sale of the Bonds, and the use of the net proceeds thereof by the Company and/or the City to finance all or a portion of the Project, will: (i) result in the diversification of industry, the creation or retention of business opportunities and the creation or retention of opportunities for gainful employment within the jurisdiction of the City; (ii) serve a public purpose, and will be of benefit to the health and general welfare of the City; (iii) comply with the purposes and provisions of the Act and it is in the public interest that the City take such lawful action as determined to be necessary or desirable to encourage the diversification of industry, the creation or retention of business opportunities, and the creation or retention of opportunities for gainful employment

within the jurisdiction of the City; and (iv) not have a material adverse competitive effect on any similar facilities already constructed or operating in or near Marion County, Indiana.

SECTION 2. The forms of the Financing Documents presented herewith are hereby approved and all such documents shall be kept on file by the Clerk of the City-County Council (the "Clerk") or the Controller of the City (the "Controller"). In compliance with Indiana Code 36-1-5-4, two (2) copies of the Financing Documents are on file in the office of the Clerk for public inspection.

SECTION 3. The City is authorized to issue the Bonds in one or more series, any series of which may be taxable or tax-exempt for federal income tax purposes, in the maximum aggregate principal amount not to exceed Seventy-Five Million Dollars (\$75,000,000), with a maximum term not to exceed twenty-five (25) years and with a maximum interest rate not to exceed six and one-half percent (6.5%) per annum (if issued on a tax-exempt basis for purposes of federal income taxes) or a maximum interest rate not to exceed eight percent (8.0%) per annum (if issued on a taxable basis for purposes of federal income taxes), all for the purpose of procuring funds to (a) pay all or a portion of the costs of the Project by making a portion of the proceeds of the Bonds available to the Company, (b) fund a debt service reserve fund or pay the cost of a premium for a debt service reserve fund surety policy, (c) pay capitalized interest on the Bonds (if necessary), and (d) pay all incidental expenses incurred on account of the issuance of the Bonds and acquiring any credit enhancement with respect thereto (if any). The Bonds shall be payable as to principal and interest solely from incremental property taxes derived from the Allocation Area, upon such terms and conditions as otherwise provided in the Financing Documents and this Ordinance. Pending the issuance of the Bonds, the City may issue, if necessary, one or more series of bond anticipation notes (the "BANs"), with a maximum aggregate principal amount not to exceed Seventy-Five Million Dollars (\$75,000,000), with a maximum term of any series of BANs not to exceed two (2) years after the date of delivery thereof, subject to renewal up to the date which is five (5) years from the date of delivery of the initial BANs, and with a maximum interest rate not to exceed five percent (5.0%) per annum (if issued on a tax-exempt basis for purposes of federal income taxes) or a maximum interest rate not to exceed six percent (6.0%) per annum (if issued on a taxable basis for purposes of federal income taxes), all for the purpose of procuring interim financing to pay all or a portion of the Project, together with any incidental expenses related thereto or incurred on account of the issuance of the BANs, which BANs shall be payable as to principal and interest solely from the proceeds of the Bonds, upon such terms and conditions as otherwise provided in the Financing Documents and this Ordinance. Neither the Bonds nor the BANs shall ever constitute a general obligation of, an indebtedness of, or charge against the general credit of the City.

SECTION 4. The Mayor and the Controller are authorized and directed to sell the Bonds to the purchaser or purchasers thereof at a price not less than 98.5% of the aggregate principal amount thereof plus accrued interest, if any, at a rate of interest not to exceed six and one-half percent (6.5%) per annum (if issued on a tax-exempt basis for purposes of federal income taxes) or a maximum interest rate not to exceed eight percent (8.0%) per annum (if issued on a taxable basis for purposes of federal income taxes), and with a final maturity date no later than twenty-five (25) years from the date of the issuance of any series of the Bonds. One or more bond purchase agreements and/or one or more qualified entity purchase agreements, each in form and substance acceptable to the Mayor and the Controller (collectively, the "Purchase Agreements"), are hereby authorized and approved, and the Mayor and the Controller are hereby authorized and directed to execute and deliver the Purchase Agreements in form and substance acceptable to them and consistent with the terms and conditions set forth in this Ordinance. If necessary or desirable in connection with the sale of the Bonds, the Mayor, the Controller and any other officer of the City are authorized to enter into one or more continuing disclosure undertaking agreements, in compliance with Rule 15c2-12 of the Securities and Exchange Commission, which will be in such a form as may be deemed necessary, appropriate or desirable by the Mayor, the Controller and any other officer of the City, with such to be conclusively evidenced by their execution thereof.

SECTION 5. The Mayor and the Clerk are authorized and directed to execute the Financing Documents, and the Mayor, the Controller, the Clerk and any other officer of the City are authorized and directed to execute such other documents approved or authorized herein and any other document which may be necessary, appropriate or desirable to consummate the transaction contemplated by the Financing Documents and this Ordinance, and their execution is hereby confirmed on behalf of the City. The signatures of the Mayor and the Clerk on the Bonds which may be necessary or desirable to consummate the transaction, and their execution is hereby confirmed on behalf of the City. The signatures of the Mayor and the Clerk on the Bonds may be facsimile signatures. The Mayor, the Clerk, the Controller and any other officer of the City are authorized to arrange for the delivery of the Bonds to the purchaser, payment for which will be made in the manner set forth in the Financing Documents. The Mayor and the Clerk may, by their execution of the Financing Documents requiring their signatures and imprinting of their facsimile signatures thereon, approve any and all such changes therein and also in those Financing Documents which do not require the signature of the Mayor or the Clerk without further approval of this City-County Council or the Economic Development Commission if such changes do not affect terms set forth in Sections 27(a)(1) through and including (a)(10) of the Act.

SECTION 6. The provisions of this Ordinance and the Financing Documents shall constitute a contract binding between the City and the holder or holders of the Bonds and after the issuance of said Bonds, this Ordinance shall not be repealed or amended in any respect which would adversely affect the right of such holder or holders so long as said Bonds or the interest thereon remains unpaid.

SECTION 7. Subject to the provisions of Sections 5 and 13 of this Ordinance, if necessary or desirable, a Preliminary Official Statement of the City relating to the Bonds (the "Preliminary Official Statement"), in a form acceptable to the Mayor, is hereby (a) authorized and approved, together with such changes in form and substance as may be deemed necessary or appropriate by the Mayor pursuant to Sections 5 and 13 of this Ordinance, (b) authorized and approved, as the same may be appropriately confirmed, modified and amended pursuant hereto, for distribution as the Preliminary Official Statement of the City, (c) authorized to be deemed and determined by the Mayor on behalf of the City, as of its date, to constitute the "final" official statement of the City with respect to the Bonds to be offered thereby, subject to completion as permitted by and otherwise pursuant to the provisions of Rule 15c2-12 of the Securities and Exchange Commission (the "SEC Rule"), and (d) authorized and approved, consistent with the provisions of any Purchase Agreement and the SEC Rule, to be placed into final form and distributed and delivered to purchasers and potential purchasers of the Bonds offered thereby as the final official statement of the City, as of the date thereof, with respect to the Bonds (the "Official Statement").

SECTION 8. Subject to the obligations of the Company set forth in the Financing Agreement and/or the certificates or agreements of the Company to be executed upon the issuance of the Bonds, if any of the Bonds are issued on a tax-exempt basis for purposes of federal income taxation, the City will use its best efforts to restrict the use of the proceeds of the Bonds in such a manner and to expectations at the time the Bonds are delivered to the purchasers thereof, so that they will not constitute "arbitrage bonds" under Section 148 of the Code and the regulations promulgated thereunder, or to preserve any other desired tax status under the Code. The Mayor, the Controller and the Clerk, or any other officer having responsibility with respect to the issuance of the Bonds, are authorized and directed, alone or in conjunction with any of the foregoing, or with any other officer, employee, consultant or agent of the City, to deliver a certificate for inclusion in the transcript of proceedings for the Bonds, setting forth the facts, estimates and circumstances and reasonable expectations pertaining to the use of the Bond proceeds as of the date of issuance thereof.

SECTION 9. No recourse under or upon any obligation, covenant, acceptance or agreement contained in this ordinance, the Financing Documents or under any judgment obtained against the City, including without limitation its Economic Development Commission, or by the enforcement of any assessment or by any legal or equitable proceeding by virtue of any constitution or statute or otherwise, or under any circumstances, under or independent of the Financing Agreement, shall be had against any member, director, or officer or attorney, as such, past, present, or future, of the City, including without limitation its Economic Development Commission, either directly or through the City, or otherwise, for the payment for or to the City or any receiver thereof or for or to any holder of the Bonds secured thereby, or otherwise, of any sum that may remain due and unpaid by the City upon any of the Bonds. Any and all personal liability of every nature, whether at common law or in equity, or by statute or by constitution or otherwise, of any such member, director, or officer or attorney, as such, to respond by reason of any act or omission on his or her part or otherwise for, directly or indirectly, the payment for or to the City or any receiver thereof, or for or to any owner or holder of the Bonds, or otherwise, of any sum that may remain due and unpaid upon the Bonds hereby secured or any at them, shall be expressly waived and released as a condition of and consideration for the execution and delivery of the Financing Agreement and the issuance, sale and delivery of the Bonds.

SECTION 10. If any section, paragraph or provision of this Ordinance shall be held to be invalid or unenforceable for any reason, the invalidity or unenforceability of such section, paragraph or provision shall not affect any of the remaining provisions of this Ordinance.

SECTION 11. All ordinances, resolutions and orders or parts thereof, in conflict with the provisions of this Ordinance are, to the extent of such conflict, hereby repealed.

SECTION 12. It is hereby determined that all formal actions of the City-County Council relating to the adoption of this Ordinance were taken in one or more open meetings of the Council, that all deliberations of the City-County Council and of its committees, if any, which resulted in formal action, were in meetings open to the public, and that all such meetings were convened, held and conducted in compliance with applicable legal requirements, including Indiana Code 5-14-1.5, as amended.

SECTION 13. The Mayor, the Controller, the Clerk and any other officer of the City are hereby authorized and directed, in the name and on behalf of the City, to execute, attest and deliver such further instruments and documents, and to take such further actions, in the name of the City as in their judgment shall be necessary or advisable in order fully to consummate the transactions described herein and carry out the purposes of this Ordinance, and any such

documents heretofore executed and delivered and any such actions heretofore taken, be, and hereby are, ratified and approved. The Mayor or his designee is hereby authorized to enter into one or more project agreements with the Company, on terms and conditions acceptable to the Mayor, together with any all changes as may be necessary, desirable or appropriate, which shall be evidenced by his execution thereof.

SECTION 14. The City-County Council does hereby acknowledge that the Bonds may be purchased with the proceeds of one or more series of bonds to be issued by The Indianapolis Local Public Improvement Bond Bank (collectively, the "Bond Bank Bonds"), and that the Bond Bank Bonds may be supported by one or more debt service reserve funds that will be subject to the provisions of IC 5-1.4-5-4 and Special Ordinance 67,85 of this City-County Council.

SECTION 15. The City-County Council hereby declares its official intent, to the extent permitted by law, to issue the Bonds in one or more series or issues, not to exceed the maximum aggregate principal amount authorized herein, and to reimburse costs of the Project consisting of the Expenditures from proceeds of the sale of the Bonds.

SECTION 16. This Ordinance shall be in full force and effect upon adoption and compliance with Indiana Code 36-3-4-14.

PROPOSAL NO. 286, 2015. Councillor Moriarty Adams reported that the Public Safety and Criminal Justice Committee heard Proposal No. 286, 2015 on October 21, 2015. The proposal, sponsored by Councillor Freeman, amends Sec. 261-304 of the Code limiting the authority of the Fleet Services Division of the Department of Public Works with respect to acquisition of public safety vehicles. By a 5-2 vote, the Committee reported the proposal to the Council with the recommendation that it do pass as amended. Councillor Freeman moved, seconded by Councillor Moriarty Adams, to return Proposal No. 286, 2015 to committee. Proposal No. 286, 2015 was returned to committee by a unanimous voice vote.

PROPOSAL NO. 287, 2015 In Chairman Adamson's absence, Councillor Osili reported that the Public Works Committee heard Proposal No. 287, 2015 on October 22, 2015. The proposal, sponsored by Councillor Miller, authorizes a speed limit reduction on Boyd Avenue, between East Troy Avenue and East Perry Street (District 19). By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Osili moved, seconded by Councillor Cain, for adoption. Proposal No. 287, 2015 was adopted on the following roll call vote; viz:

*18 YEAS: Barth, Cain, Evans, Freeman, Gooden, Hickman, Holliday, Lewis, Lutz, Mansfield, Mascari, McHenry, Miller, Osili, Pfisterer, Robinson, Shreve, Simpson*

*0 NAYS:*

*8 NOT VOTING: Clay, Gray, Jackson, McQuillen, Moriarty Adams, Oliver, Sandlin, Tew*

*3 ABSENT: Adamson, Hunter, Scales*

Proposal No. 287, 2015 was retitled **GENERAL ORDINANCE NO. 70, 2015**, and reads as follows:

**CITY-COUNTY GENERAL ORDINANCE NO. 70, 2015**

A PROPOSAL FOR A GENERAL ORDINANCE amending the Revised Code of the Consolidated City and County and establishing speed limits on Boyd Avenue between East Troy Avenue and East Perry Street.

**BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND MARION COUNTY, INDIANA:**

SECTION 1. The "Revised Code of the Consolidated City and County," specifically, Sec. 441-323, Alteration of prima facie speed limits, be and the same is hereby amended by the addition of the following, to wit:

Boyd Avenue, between East Troy Avenue and  
East Perry Street; 25 mph.

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 310, 2015. Councillor Robinson reported that the Metropolitan and Economic Development Committee heard Proposal No. 310, 2015 on October 26, 2015. The proposal, sponsored by Councillor Lutz, approves the statement of benefits of Land O'Lakes, Inc. and Winfield Solutions, LLC (d/b/a Sure-Tech Laboratories), an applicant for tax abatement for property located in an economic revitalization area. By a 5-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Robinson moved, seconded by Councillor Lutz, for adoption. Proposal No. 310, 2015 was adopted on the following roll call vote; viz:

*19 YEAS: Barth, Cain, Evans, Freeman, Gooden, Hickman, Holliday, Lewis, Lutz, Mansfield, Mascari, McHenry, Miller, Osili, Pfisterer, Robinson, Shreve, Simpson, Tew*  
*0 NAYS:*  
*7 NOT VOTING: Clay, Gray, Jackson, McQuillen, Moriarty Adams, Oliver, Sandlin*  
*3 ABSENT: Adamson, Hunter, Scales*

Proposal No. 310, 2015 was retitled GENERAL RESOLUTION NO. 20, 2015, and reads as follows:

CITY-COUNTY GENERAL RESOLUTION NO. 20, 2015

PROPOSAL FOR A GENERAL RESOLUTION to approve the statement of benefits of Land O'Lakes, Inc., and Winfield Solutions, LLC d/b/a Sure-Tech Laboratories (hereinafter referred to as "Applicant"), an applicant for tax abatement for property located in an allocation area as defined by IC 36-7-15.1-26.

WHEREAS, IC 6-1.1-12.1 allows a partial abatement of property taxes attributable to redevelopment, rehabilitation activities or installation of new equipment in Economic Revitalization Areas (each hereinafter referred to as a "Project"); and

WHEREAS, pursuant to IC 6-1.1-12.1, the Metropolitan Development Commission of Marion County, Indiana, acting as the Redevelopment Commission of the City of Indianapolis, Indiana (hereinafter referred to as "MDC") is empowered to designate Economic Revitalization Areas; and

WHEREAS, IC 6-1.1-12.1 requires an applicant for Economic Revitalization Area designation to provide a statement of benefits and requires the MDC, before it makes a decision to designate the area as an Economic Revitalization Area, to determine that (i) the estimated value of a Project is reasonable for projects of that nature, (ii) the estimated employment at the indicated annual salaries for a Project identified in the statement of benefits can reasonably be expected, (iii) a Project can be reasonably expected to yield the benefits identified in the statement of benefits and (iv) the totality of benefits arising from a Project is sufficient to justify Economic Revitalization Area designation; and

WHEREAS, pursuant to IC 6-1.1-12.1-2(k), a statement of benefits for property located within an allocation area, as defined by IC 36-7-15.1-26, may not be approved unless the City-County Council of Indianapolis and Marion County, Indiana (hereinafter referred to as "Council") adopts a resolution approving the statement of benefits; and

WHEREAS, the Applicant has submitted a real property and a personal property Statement of Benefits to the MDC as part of its application for Economic Revitalization Area designation for property where Applicant's Project will occur, located within an allocation area, as defined by IC 36-7-15.1-26; and

WHEREAS, MDC has preliminarily approved Applicant's Statement of Benefits, pending adoption from the Council, to allow the designation of the Economic Revitalization Area and related tax abatement pursuant to IC 6-1.1-12.1; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The Council hereby approves the Statements of Benefits that were submitted to the MDC, as part of the application for Economic Revitalization Area designation, by Land O'Lakes, Inc., and Winfield Solutions, LLC d/b/a Sure-Tech Laboratories.

SECTION 2. This resolution shall be in effect from and after its passage by the Council and compliance with Ind. Code 36-3-4-14.

PROPOSAL NO. 315, 2015. Councillor Barth reported that the Community Affairs and Education Committee heard Proposal No. 315, 2015 on October 14, 2015. The proposal, sponsored by Councillor Barth, amends the Code by adding a new chapter establishing the Indianapolis-Marion County public art for neighborhoods program. By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass as amended. Councillor Barth moved, seconded by Councillor Freeman, to postpone Proposal No. 286, 2015. Proposal No. 286, 2015 was postponed by a unanimous voice vote.

PROPOSAL NO. 324, 2015. Councillor Mansfield reported that the Administration and Finance Committee heard Proposal No. 324, 2015 on October 20, 2015. The proposal, sponsored by Councillors Miller and Cain, authorizes the issuance of Indiana Facilities Revenue Refunding Bonds in a maximum aggregate amount not to exceed \$12 million and approves and authorizes other actions in respect thereto. By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Mansfield moved, seconded by Councillor Cain, for adoption. Proposal No. 324, 2015 was adopted on the following roll call vote; viz:

*21 YEAS: Barth, Cain, Evans, Freeman, Gooden, Hickman, Holliday, Lewis, Lutz, Mansfield, Mascari, McHenry, Miller, Oliver, Osili, Pfisterer, Robinson, Sandlin, Shreve, Simpson, Tew*  
*0 NAYS:*  
*5 NOT VOTING: Clay, Gray, Jackson, McQuillen, Moriarty Adams*  
*3 ABSENT: Adamson, Hunter, Scales*

Proposal No. 324, 2015 was retitled SPECIAL ORDINANCE NO. 4, 2015, and reads as follows:

CITY-COUNTY SPECIAL ORDINANCE NO. 4, 2015

A SPECIAL ORDINANCE authorizing the City of Indianapolis to issue one or more series of its City of Indianapolis, Indiana Facilities Revenue Refunding Bonds of 2015 (with such further series or other designation as determined to be necessary, desirable or appropriate), in a maximum aggregate principal amount not to exceed Twelve Million Dollars (\$12,000,000) (the "Bonds") and approving and authorizing other actions in respect thereto.

WHEREAS, pursuant to Indiana Code 5-1-5, 5-1-14 and 36-3-4-21 (collectively, the "Act"), the City of Indianapolis, Indiana (the "City") is authorized to issue revenue bonds for the purpose of refinancing and refunding certain prior bonds of the City; and

WHEREAS, the City has previously issued its bonds designated as the (a) "City of Indianapolis, Indiana Facilities Revenue Bonds of 2006" (the "2006 Bonds"), issued in the original aggregate principal amount of \$16,550,000 and currently outstanding in the principal amount of Eight Million, Three Hundred Forty-five Thousand Dollars (\$8,345,000), and (b) "City of Indianapolis, Indiana Facilities Revenue Bonds of 2007" (the "2007 Bonds" and, together with the 2006 Bonds, the "Prior Bonds"), issued in the original aggregate principal amount of \$3,450,000 and currently outstanding in the principal amount of One Million Eight Hundred Ten Thousand Dollars (\$1,810,000), each issued pursuant to Special Resolution No. 3, 2006, adopted by the City-County Council of the City of Indianapolis, Indiana and of Marion County, Indiana (the "City-County Council") on January 23, 2006, as supplemented and amended from time to time; and

WHEREAS, the City desires to issue the Bonds, not earlier than October 17, 2015, in an amount equal to the principal amount of The Indianapolis Local Public Improvement Bond Bank Refunding Bonds, Series 2015\_ (the "2015 Bond Bank Bonds") to be issued by the Bond Bank (as defined herein), which 2015 Bond Bank Bonds shall be sufficient, together with any funds provided by the City, to (A) refund all or a portion of (i) The Indianapolis Local



Public Improvement Bond Bank Bonds, Series 2006 B and (ii) The Indianapolis Local Public Improvement Bond Bank Bonds, Series 2007 M; and (B) finance costs of issuing the Bonds and the 2015 Bond Bank Bonds, including the costs of any insurance policy, credit enhancement or debt service reserve fund credit facilities related thereto and other expenses in connection with the refunding;

WHEREAS, the Bonds shall be exchanged with the Bond Bank for the Prior Bonds;

WHEREAS, the Bonds to be issued pursuant to this ordinance will be secured by and payable from legally available funds of the City, and are to be issued subject to the provisions of the laws of the State of Indiana, including, without limitation, the Act, as in effect on the date of delivery of the Bonds authorized herein, and the terms and restrictions of this ordinance; and

WHEREAS, IC 5-1.4 provides that a qualified entity, which term includes the City, may issue and sell its Bonds, in one or more series, to The Indianapolis Local Public Improvement Bond Bank ("Bond Bank");

WHEREAS, the Executive Director of the Bond Bank has expressed a willingness to purchase the Bonds in a negotiated sale subject to approval by the Board of Directors of the Bond Bank;

WHEREAS, the Bonds to be issued under Section 1 of this ordinance are issued pursuant to the authority granted in the Act;

WHEREAS, the City has obtained or will obtain all necessary approvals required by law for the issuance of the Bonds; and

WHEREAS, the Council has determined that it will be in the best interest of the City to sell the Bonds to the Bond Bank in a negotiated sale; and

WHEREAS, all conditions precedent to the adoption of an ordinance authorizing the issuance of said Bonds have been complied with in accordance with the provisions of the Act; now, therefore:

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. Issuance of Bonds.

*In order to consummate the exchange of the Bonds for the Prior Bonds, the Controller is, without further authorization from the Council, authorized to proceed with the issuance of Bonds pursuant to and in the manner prescribed by the Act and in this ordinance.*

*The City shall issue its bonds, designated "Facilities Revenue Refunding Bonds of 20\_\_\_," [year of issuance to be designated], in one or more series, in a principal amount not to exceed Twelve Million Dollars (\$12,000,000) to exchange for the Prior Bonds.*

*The Bonds shall be issued in the denomination of One Hundred Thousand Dollars (\$100,000) or any Five Thousand Dollar (\$5,000) integral multiples in excess thereof, numbered consecutively from 1 upward, dated as of the first day of the month in which they are sold or delivered, or the date of delivery, as determined by the Controller with the advice of the City's financial advisor, and shall bear interest at a rate or rates not to exceed Eight percent (8%) per annum (the exact rate or rates to be determined by bidding), which interest shall be payable semiannually on January 15 and July 15, commencing on the January 15 or July 15 following the issue date of the Bonds. The Bonds shall mature semiannually or annually, or shall be subject to mandatory sinking fund redemption if term bonds are issued, on January 15 or July 15, each as determined by the Controller with the advice of the City's financial advisor, over a period ending no later than the maturity date of the Prior Bonds and in such amounts which will produce as level annual debt service practicable with the denomination of One Hundred Thousand Dollar (\$100,000) or any Five Thousand Dollar (\$5,000) integral multiples in excess thereof.*

*Interest on the Bonds shall be calculated according to a 360-day calendar year containing twelve 30-day months.*

*All or a portion of the Bonds may be issued as one or more term bonds, as determined by the Bond Bank. Such term bonds shall have a stated maturity or maturities on January 15 or July 15 in the years as determined by the Bond Bank, but no later than the final maturity of the Prior Bonds as established in accordance with the above paragraph. The Bonds shall be subject to mandatory sinking fund redemption and final payment(s) at maturity at 100% of the*

*principal amount thereof, plus accrued interest to the redemption date, on dates which correspond to the principal payment dates hereinafter set in accordance with the above paragraph.*

*The Bonds are not subject to optional redemption prior to maturity.*

*The Paying Agent shall credit against the mandatory sinking fund requirement and corresponding mandatory redemption obligation, in the order to be determined by the City, any Bonds maturing which have previously been redeemed (otherwise than as a result of a previous mandatory redemption requirement) or delivered to the Registrar for cancellation or purchased for cancellation by the Paying Agent and not theretofore applied as a credit against any redemption obligation. Each Bond so delivered or canceled shall be credited by the Paying Agent at 100% of the principal amount thereof against the mandatory sinking fund obligation on such mandatory sinking fund date, and any excess of such amount shall be credited on future redemption obligations, and the principal amount of the Bonds to be redeemed by operation of the mandatory sinking fund requirement shall be accordingly reduced; provided, however, the Paying Agent shall credit only such Bonds maturing as term bonds to the extent received on or before forty-five (45) days preceding the applicable mandatory redemption.*

*The Bonds shall be redeemed only in minimum denominations of One Hundred Thousand Dollars (\$100,000) and Five Thousand Dollar (\$5,000) integral multiples in excess thereof; provided that following such redemption, no bondholder shall hold less than \$100,000 of the Bonds. If less than an entire maturity is called for redemption, the Bonds to be called shall be selected by lot by the Registrar.*

*Notice of such redemption shall be mailed to the registered owner not less than thirty (30) days prior to the date fixed for redemption at the address of the registered owner as shown on the registration record of the City as of the date which is forty-five (45) days prior to said redemption date, unless such redemption notice is waived by the owner of the Bond or Bonds redeemed. The notice shall specify the date and place of redemption and sufficient identification of the Bonds called for redemption. The place of redemption may be determined by the City. Interest on the Bonds so called for redemption shall cease on the redemption date fixed in such notice if sufficient funds are available at the place of redemption to pay the redemption price on the date so named. Coincidentally with the payment of the redemption price, the Bonds so called for redemption shall be surrendered for cancellation.*

**SECTION 2. Registrar and Paying Agent.** The Controller is hereby authorized to contract with a qualified institution to serve as Registrar and Paying Agent for the Bonds ("Registrar" or "Paying Agent"). Said Registrar is hereby charged with the responsibility of authenticating the Bonds. The Controller is hereby authorized to enter into such agreements or understandings with the Registrar on the date of issuance of the Bonds, or at any later date until all the Bonds mature or are redeemed, as will enable the institution to perform the services required of a registrar and paying agent. The Controller is further authorized to pay such fees as the Registrar may charge for the services it provides as Registrar and Paying Agent and such fees may be paid from the Bond and Interest Account, as hereinafter defined in Section 9, to pay the principal of and interest on the Bonds and fiscal agency charges.

If Bonds are sold to a purchaser that does not object to such designation, the Controller may be designated the Registrar and Paying Agent and in that case will be charged with the performance of all of the duties and responsibilities of Registrar and Paying Agent.

The principal of the Bonds shall be payable at the principal office of the Paying Agent. All payments of interest on the Bonds shall be paid by check mailed one business day prior to the payment date to the registered owners thereof, as of the fifteenth day of the month preceding such interest payment date ("Record Date"), at the addresses as they appear on the registration books kept by the Registrar or at such other address as is provided to the Paying Agent in writing by such registered owner. If payment of principal or interest is made to a depository, payment shall be made by wire transfer on the payment date in same-day funds. If the payment date occurs on a date when financial institutions are not open for business, the wire transfer shall be made on the next succeeding business day. The Paying Agent shall be instructed to wire transfer payments by 1:00 p.m. (New York City time) so such payments are received at the depository by 2:30 p.m. (New York City time). All payments on the Bonds shall be made in any lawful money of the United States of America, which on the date of such payment, shall be legal tender for the payment of public and private debts.

Each Bond shall be transferable or exchangeable only upon the books of the City kept for that purpose at the principal office of the Registrar by the registered owner thereof in person, or by its attorney duly authorized in writing, upon surrender of such Bond together with a written instrument of transfer or exchange satisfactory to the Registrar duly executed by the registered owner, or its attorney duly authorized in writing, and thereupon a new fully registered Bond or Bonds in an authorized aggregate principal amount and of the same maturity, shall be executed and delivered in the name of the transferee or transferees or the registered owner, as the case may be, in exchange therefor. The costs of such transfer or exchange shall be borne by the City except for any tax or governmental charge required to be paid with

November 9, 2015

respect to the transfer or exchange, which taxes or governmental charges are payable by the person requesting such transfer or exchange. The City and the Registrar and Paying Agent for the Bonds may treat and consider the person in whose name such Bonds are registered as the absolute owner thereof for all purposes including for the purpose of receiving payment of, or on account of, the principal thereof and interest due thereon.

Interest on such Bonds shall be payable from the interest payment date to which interest has been paid next preceding the authentication date of the Bonds unless the Bonds are authenticated after the Record Date and on or before such interest payment date in which case they shall bear interest from such interest payment date, or unless the Bonds are authenticated on or before the Record Date preceding the first interest payment date in which case they shall bear interest from the original date of the Bonds until the principal shall be fully paid.

SECTION 3. Execution; Revenues Available for Debt Service. Each of said Bonds shall be executed in the name of the City by the manual or facsimile signature of the Mayor, attested by the manual or facsimile signature of its Controller and the seal of the City shall be affixed, imprinted or impressed to or on each of said Bonds manually, by facsimile or any other means; and said officials, by the execution of a Signature and No Litigation Certificate, shall adopt as and for their own proper signatures the facsimile signatures appearing on said Bonds. In case any officer whose signature or facsimile signature appears on the Bonds shall cease to be such officer before the delivery of the Bonds, the signature of such officer shall nevertheless be valid and sufficient for all purposes the same as if such officer had remained in office until such delivery. The Bonds shall also be authenticated by the manual signature of an authorized representative of the Registrar and no Bond shall be valid or become obligatory for any purpose until the certificate of authentication thereon has been so executed.

Said Bonds shall have all of the qualities and incidents of negotiable instruments under the laws of the State of Indiana, subject to the provisions for registration herein.

The City shall make payment of the principal of, premium, if any, and interest on the bonds from legally available funds of the City. The City shall not be obligated to pay said Bonds or the interest thereon except from such legally available funds. The Bonds shall not constitute an indebtedness of the City within the meaning of the provisions and limitations of the constitution of the State of Indiana.

SECTION 4. Form of Bonds. The form and tenor of said Bonds shall be substantially as follows, all blanks to be filled in properly prior to delivery thereof:

UNITED STATES OF AMERICA			
			No. _____
STATE OF INDIANA	CITY OF INDIANAPOLIS		COUNTY OF MARION
FACILITIES REVENUE REFUNDING BONDS OF 20__			
Original <u>Date</u>	Maturity <u>Date</u>	Authentication <u>Date</u>	Interest <u>Rate</u>
_____, 2015	_____ 15, 2015	_____, 2015	

REGISTERED OWNER:

PRINCIPAL SUM:

The City of Indianapolis ("City"), in Marion County, State of Indiana, for value received, hereby promises to pay to the Registered Owner named above ("Registered Owner") or registered assigns, the Principal Sum set forth above, or so much thereof as may be advanced from time to time and be outstanding as evidenced by the records of the registered owner making payment for this Bond, or its assigns on the Maturity Date set forth above (unless this Bond be subject to and be called for redemption prior to maturity as hereinafter provided), and to pay interest thereon until the Principal Sum shall be fully paid at the Interest Rate per annum specified above, from the interest payment date to which interest has been paid next preceding the Authentication Date of this Bond unless this Bond is authenticated after the first day of the month preceding an interest payment date and on or before such interest payment date in which case it shall bear interest from such interest payment date, or unless this Bond is authenticated on or before \_\_\_\_\_ 15, 20\_\_ [January 15 or July 15 next succeeding date of issuance], in which case it shall bear interest from the Original Date, which interest is payable semiannually on January 15 and July 15, beginning \_\_\_\_\_ 15, 20\_\_ [January 15 or July 15 next succeeding date of issuance]. Interest shall be calculated according to a 360-day calendar year containing twelve 30-day months. The principal of this Bond is payable at the principal office of U.S. Bank National Association ("Registrar" or "Paying Agent"), in the City of Indianapolis, Indiana. All payments of interest on the Bond shall be paid by check mailed on business day prior to the interest payment date to the registered owner hereof, as of the first day of the month preceding an interest payment date, at the address as it appears on the registration books kept by the

Registrar or at such other address as is provided to the Paying Agent in writing by the registered owner. If payment of principal or interest is made to a depository, payment shall be made by wire transfer on the payment date in same-day funds. If the payment date occurs on a date when financial institutions are not open for business, the wire transfer shall be made on the next succeeding business day. The Paying Agent shall wire transfer payments by 1:00 p.m. (New York City time). All payments on the Bond shall be made in any lawful money of the United States of America, which on the dates of such payment, shall be legal tender for the payment of public and private debts.

THIS BOND, TOGETHER WITH THE INTEREST HEREON, SHALL BE PAYABLE FROM LEGALLY AVAILABLE FUNDS OF THE CITY, AND NEITHER THIS BOND NOR THE ISSUE OF WHICH IT IS A PART SHALL IN ANY WAY RESPECT CONSTITUTE A CORPORATE INDEBTEDNESS OF THE CITY WITHIN THE PROVISIONS AND LIMITATIONS OF THE CONSTITUTION OF THE STATE OF INDIANA.

[The terms and provisions of this Bond are continued on the reverse side hereof and such terms and provisions shall for all purposes have the same effect as though fully set forth at this place.]

It is hereby certified and recited that all acts, conditions and things required to be done precedent to and in the execution, issuance and delivery of this Bond have been done and performed in regular and due form as provided by law.

This Bond shall not be valid or become obligatory for any purpose until the certificate of authentication hereon shall have been executed by an authorized representative of the Registrar.

IN WITNESS WHEREOF, the City of Indianapolis, in Marion County, Indiana, has caused this Bond to be executed in its corporate name by the manual or facsimile signature of the Mayor and its corporate seal to be hereunto affixed, imprinted or impressed by any means and attested manually or by facsimile by its Controller.

CITY OF INDIANAPOLIS, INDIANA

By: \_\_\_\_\_

\_\_\_\_\_  
Mayor

[SEAL]

Attest:

\_\_\_\_\_  
Controller

REGISTRAR'S CERTIFICATE OF AUTHENTICATION

This Bond is one of the Bonds described in the within-mentioned ordinance.

\_\_\_\_\_  
As Registrar

By \_\_\_\_\_

\_\_\_\_\_  
Authorized Representative

(To be printed on Reverse Side)

This Bond is one of an authorized issue of Bonds of the City of Indianapolis, of like date, tenor and effect, except as to rates of interest and dates of maturity; aggregating \_\_\_\_\_ Dollars (\$ \_\_\_\_\_); numbered consecutively from 1 up; issued in order to exchange for certain prior bonds of the City ("Prior Bonds"). This Bond is issued pursuant to an ordinance adopted by the City-County Council of said City on the \_\_\_\_ day of \_\_\_\_\_, 20\_\_, entitled "A SPECIAL ORDINANCE of the City of Indianapolis, Indiana authorizing the issuance of one or more series of its revenue bonds in order to exchange for certain prior bonds of the City, the pledge of revenues sufficient to pay the debt service on such bonds; providing for the safeguarding of the interests of the owners of said bonds, other matters connected therewith, including the issuance of notes in anticipation of bonds, and repealing ordinances inconsistent herewith" ("Ordinance"), and in accordance with the provisions of Indiana law, including without limitation Indiana Code 5-1-5, 5-1-14 and 36-3-4-21, each as in effect on the date of delivery of the Bonds (collectively, the "Act").

Pursuant to the provisions of said Act and said ordinance, the principal of and interest on this Bond are payable solely from the Revenue Fund ("Revenue Fund") created by the ordinance to be provided from the legally available funds of the City. In the event there be a default in the payment of the interest on or principal of this Bond, the owner of this Bond shall have all of the rights and remedies provided for under Indiana law.

The City further covenants that it will set aside and pay into its Revenue Fund legally available funds in a sufficient amount for payment of: (a) the interest on all Bonds, as such interest shall fall due; (b) the necessary fiscal agency charges for paying Bonds and interest; (c) the principal of all Bonds, as such principal shall fall due; and (d) an additional amount as a margin of safety to create and maintain the debt service reserve account required by this Ordinance.

This Bond is transferable or exchangeable only upon the books of the City kept for that purpose at the office of the Registrar, by the registered owner hereof in person, or by its attorney duly authorized in writing, upon surrender of this Bond together with a written instrument of transfer or exchange satisfactory to the Registrar duly executed by the registered owner, or its attorney duly authorized in writing, and thereupon a new fully registered Bond or Bonds in an authorized aggregate principal amount and of the same maturity, shall be executed and delivered in the name of the transferee or transferees or to the registered owner, as the case may be, in exchange therefor. This Bond may be transferred or exchanged without cost to the registered owner except for any tax or governmental charge required with respect to the transfer. The City, the Registrar and any paying agent for this Bond may treat and consider the person in whose name this Bond is registered as the absolute owner hereof for all purposes including for the purpose of receiving payment of, or on account of, the principal hereof and interest due hereon.

The Bonds are not subject to optional redemption prior to maturity.

The Bonds are subject to mandatory sinking fund redemption prior to maturity, at a redemption price equal to the principal amount thereof plus accrued interest, in the years and amounts set forth below:

<u>Year</u>	<u>Amount</u>
*	
* Final Maturity	

If less than all of the Bonds are to be redeemed, the Bonds shall be redeemed only in minimum denominations of One Hundred Thousand Dollars (\$100,000) and Five Thousand Dollar (\$5,000) integral multiples in excess thereof; provided that following such redemption, no bondholder shall hold less than \$100,000 of the Bonds. If less than an entire maturity is called for redemption, the Bonds to be called shall be selected by lot by the Registrar.

Notice of such redemption shall be mailed to the address of the registered owner as shown on the registration record of the City, as of the date which is forty-five (45) days prior to such redemption date, not less than thirty (30) days prior to the date fixed for redemption. The notice shall specify the date and place of redemption and sufficient identification of the Bonds called for redemption. The place of redemption may be determined by the City. Interest on the Bonds so called for redemption shall cease on the redemption date fixed in such notice, if sufficient funds are available at the place of redemption to pay the redemption price on the date so named.

If this Bond shall not be presented for payment or redemption on the date fixed therefor, the City may deposit in trust with its depository bank an amount sufficient to pay such Bond or the redemption price, as the case may be, and thereafter the registered owner shall look only to the funds so deposited in trust with said bank for payment and the City shall have no further obligation or liability in respect thereto.

THE OWNER OF THIS BOND, BY THE ACCEPTANCE HEREOF, HEREBY AGREES TO ALL THE TERMS AND PROVISIONS CONTAINED IN THE ORDINANCE. This Bond is subject to defeasance prior to redemption or payment as provided in the ordinance. The ordinance may be amended without the consent of the owners of the Bonds as provided in the ordinance if the City-County Council determines in its sole discretion, that the amendment shall not adversely affect the rights of any of the owners of the Bonds.

The Bonds maturing in any one year are issuable only in fully registered form in the denomination of One Hundred Thousand Dollars (\$100,000) or any Five Thousand Dollar (\$5,000) integral multiples in excess thereof not exceeding the aggregate principal amount of the Bonds maturing in such year.

#### ASSIGNMENT

FOR VALUE RECEIVED the undersigned hereby sells, assigns and transfers unto \_\_\_\_\_ the within bond and all rights thereunder, and hereby irrevocably constitutes and appoints \_\_\_\_\_, attorney, to transfer the within bond in the books kept for the registration thereof with full power of substitution in the premises.

Dated: \_\_\_\_\_

\_\_\_\_\_  
NOTICE: Signature(s) must be guaranteed by an eligible guarantor institution participating in a Securities Transfer Association recognized signature guarantee program.

\_\_\_\_\_  
NOTICE: The signature to this assignment must correspond with the name as it appears on the face of the within bond in every particular, without alteration or enlargement or any change whatsoever.

**SECTION 5. Authorization for Preparation and Sale of the Bonds.**

*The Controller is hereby authorized and directed to have said Bonds prepared, and the Mayor and Controller are hereby authorized and directed to execute and attest said Bonds in the form and manner herein provided.*

*The Controller is hereby authorized and directed to deliver the Bonds to the Bond Bank on the closing date, subject to the terms and provisions of the Purchase Agreement (as defined herein) and this Ordinance, in exchange for the Prior Bonds which shall at such time be cancelled.*

*The Bonds herein authorized and delivered to the purchaser shall be the binding revenue obligations of the City, payable out of legally available funds of the City, to be set aside in the Revenue Fund as herein provided. The proper officers of the City are hereby directed to draw all proper and necessary warrants, and to do whatever acts and things which may be necessary to carry out the provisions of this ordinance.*

*In the event the financial advisor to the City certifies to the City that it would be economically advantageous for the City to acquire a debt service reserve surety bond, the City hereby authorizes and directs the Mayor and the Controller to obtain such a surety bond. If such a surety bond is purchased, the Mayor and the Controller are hereby authorized to execute and deliver all agreements with the provider of the surety bond to the extent necessary to comply with the terms of such surety bond and the commitment to issue the surety bonds.*

**SECTION 6. Bond Sale.** The Controller is hereby authorized and directed to sell the Bonds of each series with terms consistent with this ordinance by negotiated sale to the Bond Bank in accordance with a qualified entity purchase agreement between the City and the Bond Bank providing for the sale of the Bonds of each series to the Bond Bank ("Purchase Agreement") upon terms consistent with this ordinance.

The Mayor and the Controller are hereby authorized to execute and deliver the Purchase Agreements with the Bond Bank provided that the terms of such Purchase Agreement are in conformance with the terms of this ordinance.

The Bonds of each series shall be delivered by the Controller to the Bond Bank, provided that the Bond Bank delivers the Prior Bonds in exchange therefor, as well as an investment letter acceptable to the City and its attorneys.

Prior to the delivery of the Bonds of each series, the Controller shall obtain a legal opinion as to the validity of the Bonds from Krieg DeVault LLP of Indianapolis, Indiana, bond counsel, and shall furnish such opinion and a customary reliance letter to the Bond Bank.

**SECTION 7. Financial Records and Accounts.** The City shall keep proper books of records and accounts, separate from all of its other records and accounts, in which complete and correct entries shall be made showing all deposits and withdrawals to the funds and accounts created hereunder. Copies of all such statements shall be kept on file in the office of the Controller.

**SECTION 8. Revenue Fund.** There is hereby created the Revenue Fund (the "Revenue Fund") into which the City shall deposit from time to time such amounts as shall be necessary to pay, when due, the principal of, premium, if any, and interest on the Bonds, and any fiscal agency charges in connection with the payment of bonds and interest thereon. There shall be set aside and deposited into the Revenue Fund, as available, an amount of the legally available funds of the City sufficient to meet the requirements of the Bond and Interest Account and the Debt Service Reserve Account created in the Revenue Fund. Upon deposit by the City, such legally available funds shall be credited to the Bond and Interest Account solely to pay the principal of, premium, if any, and interest on the Bonds due and payable within the next thirteen calendar months and, to the extent required hereby, to the Debt Service Reserve Account.

Bond and Interest Account. There is hereby created, within the Revenue Fund, the Bond and Interest Account. There shall be credited on the fourteenth (14<sup>th</sup>) day of each calendar month to the Bond and Interest Account an amount equal to the sum of one-twelfth (1/12) of the principal and one-sixth (1/6) of the interest on all then outstanding Bonds on the next succeeding principal and interest payment dates, until the amount so credited shall equal the interest and principal payable on the next succeeding principal and interest payment dates, respectively.

Debt Service Reserve Account. There is hereby created, within the Revenue Fund, the Debt Service Reserve Account. The City shall deposit on the date of delivery of the Bonds funds, a debt service reserve surety bond, or a combination thereof, into the Debt Service Reserve Account until the balance therein equals but does not exceed the least of: (i) maximum annual principal and interest requirements of the Bonds; (ii) 125% of average annual debt service on the Bonds; or (iii) 10% of the proceeds of the Bonds ("Reserve Requirement").

The Debt Service Reserve Account shall constitute the margin for safety and a protection against default in the payment of principal of and interest on said Bonds, and the moneys in the Debt Service Reserve Account shall be used to pay current principal and interest on the Bonds, to the extent that moneys in the Bond and Interest Account are insufficient for that purpose. Any deficiency in balance maintained in the Debt Service Reserve Account shall be promptly made up from legally available funds of the City after the required deposits are made to the Bond and Interest Account. Moneys maintained in the Debt Service Reserve Account in excess of the Reserve Requirement shall be used for redemption of then outstanding Bonds.

The Council, upon the advice of its financial advisor, hereby finds that funding the Debt Service Reserve Account is reasonably required and that the Reserve Requirement is no larger than necessary to market the Bonds.

There shall similarly be credited to the account any amount necessary to pay the bank fiscal agency charges for paying principal and interest on outstanding bonds as the same become payable. The City shall, from the sums deposited in the Revenue Fund and credited to the Bond and Interest Account, remit promptly to the registered owner or to the bank fiscal agency sufficient moneys to pay the interest and principal on the due dates thereof together with the amount of bank fiscal agency charges.

SECTION 9. Investment of Funds. The Revenue Fund shall be maintained as a separate account or accounts from all other accounts of the City. All moneys deposited in the account shall be deposited, held and secured as public funds in accordance with the public depository laws of the State of Indiana provided that moneys therein may be invested in obligations in accordance with the applicable laws, including particularly IC 5-13, as amended or supplemented, and in the event of such investment the income therefrom shall become a part of the funds invested and shall be used only as provided in this ordinance. Such account or accounts may be established and held by the Bond Bank for the benefit of the City.

SECTION 10. Defeasance of the Bonds. If, when the Bonds issued hereunder or any portion thereof shall have become due and payable in accordance with their terms or shall have been duly called for redemption or irrevocable instructions to call the Bonds or any portion thereof for redemption shall have been given, and the whole amount of the principal and the interest and the premium, if any, so due and payable upon all of the Bonds or any portion thereof then outstanding shall be paid; or (i) sufficient moneys or (ii) direct obligations of, or obligations the principal of and interest on which are unconditionally guaranteed by the United States of America, the principal of and the interest on which when due will provide sufficient moneys for such purpose, shall be held in trust for such purpose, and provision shall also be made for paying all fees and expenses for the redemption, then and in that case the Bonds issued hereunder or any designated portion thereof shall no longer be deemed outstanding.

SECTION 11. Further Covenants of the City: Maintenance, Insurance and Contract with Bondholders. For the purpose of further safeguarding the interests of the owners of the Bond, it is hereby specifically provided as follows:

*So long as any of the Bonds herein authorized are outstanding, the City shall maintain, or cause to be maintained, insurance on the insurable parts of the buildings, facilities, renovations, repairs and improvements funded through the proceeds of the Prior Bonds (the "Projects"), of a kind and in an amount such as is usually carried by private corporations engaged in a similar type of business. All insurance shall be placed with responsible insurance companies qualified to do business under the laws of the State of Indiana, and insurance proceeds shall be used either in replacing or restoring the property destroyed or damaged, or shall be deposited in the Revenue Fund.*

*The provisions of this ordinance shall constitute a contract by and between the City and the owners of the Bonds herein authorized and after the issuance of the Bonds, this ordinance shall not be repealed or amended in any respect which will adversely affect the rights of the owners of the Bonds, nor shall the Council adopt any law, ordinance or resolution which in any way adversely affects the rights of such owners so long as any of the Bonds, or the interest thereon, remain unpaid. Except in the case of changes described in Section 13(a)-(d), this ordinance may be amended,*

however, without the consent of bondowners, if the Council determines, in its sole discretion, that such amendment would not adversely affect the owners of the Bonds.

*The provisions of this ordinance shall be construed to create a trust in the proceeds of the sale of the Bonds herein authorized for the uses and purposes herein set forth, and the owners of the Bonds shall retain a lien on such proceeds until the same are applied in accordance with the provisions of this ordinance and of said governing Act. The provisions of this ordinance shall also be construed to create a trust in moneys directed to be set apart and paid into the Revenue Fund for the uses and purposes of that fund as in this ordinance set forth.*

**SECTION 12. Tax Covenants.** In order to preserve the exclusion of interest on the Bonds from gross income, under the Internal Revenue Code of 1986, as in effect on the date of delivery of the Bonds, as the case may be ("Code"), and as an inducement to the purchasers of the Bonds, the City represents, covenants and agrees:

*The Projects will be available for use by members of the general public. Use by a member of the general public means use by natural persons not engaged in a trade or business. No person or entity other than the City or another state or local governmental unit will use more than 10% of the proceeds of the Bonds or property financed by the Prior Bond proceeds other than as a member of the general public. No person or entity other than the City or another state or local governmental unit will own property financed by the Prior Bond proceeds or will have any actual or beneficial use of such property pursuant to a lease, management, service or incentive payment contract, an arrangement including take-or-pay or other type of output contracts or any other type of arrangement that conveys other special legal entitlements and differentiates that person's or entity's use of such property from use by the general public, unless such uses in the aggregate relate to no more than 10% of the proceeds of the Prior Bonds, as the case may be. If the City enters into a management contract for all or a portion of the Projects, the terms of the contract will comply with the Regulations and IRS Revenue Procedure 97-13, as amended, supplemented or superseded from time to time, so that the contract will not give rise to private business use under the Code and the Regulations unless such use in the aggregate will not relate to more than 10% of the proceeds of the Bonds, as the case may be.*

*No more than 10% of the principal of or interest on the Bonds is (under the terms of the Bonds, this ordinance or any underlying arrangement), directly or indirectly, secured by an interest in property used or to be used for private business use or payments in respect of such property, or to be derived from payments (whether or not to the City) in respect of such property or borrowed money used or to be used for a private business use.*

*No more than 5% of the Bond proceeds will be loaned to any person or entity other than another state or local governmental unit. No more than 5% of the Bond proceeds will be transferred, directly or indirectly, or deemed transferred to a nongovernmental person in any manner that would in substance constitute a loan of the Bond proceeds.*

*The City reasonably expects, as of the date hereof, that the Bonds will not meet either the private business use test described in paragraphs (a) and (b) above or the private loan test described in paragraph (c) above during the entire term of the Bonds.*

*No more than 5% of the proceeds of the Bonds will be attributable to private business use as described in (a) and private security or payments described in (b) attributable to unrelated or disproportionate private business use. For this purpose, the private business use test is applied by taking into account only use that is not related to any government use of proceeds of the issue (Unrelated Use) and use that is related but disproportionate to any governmental use of those proceeds (Disproportionate Use).*

*The City will not take any action nor fail to take any action with respect to the Bonds that would result in the loss of the exclusion from gross income for federal tax purposes of interest on the Bonds pursuant to Section 103 of the Code, nor will the City act in any other manner which would adversely affect such exclusion, and it will not make any investment or do any other act or thing during the period that the Bonds are outstanding which would cause the Bonds to be private activity bonds under the meaning of Section 141 of the Code.*

*It shall not be an event of default under this ordinance if the interest on any Bonds is not excludable from gross income for federal tax purposes or otherwise pursuant to any provision of the Code which is not currently in effect and in existence on the date of issuance of the Bonds.*

**SECTION 13. Amendments with Consent of Bondholders.** Subject to the terms and provisions contained in this section, and not otherwise, the owners of not less than sixty-six and two-thirds percent (66 2/3%) in aggregate principal amount of the Bonds issued pursuant to this ordinance and then outstanding shall have the right from time to time, anything contained in this ordinance to the contrary notwithstanding, to consent to and approve the adoption by the Council of such ordinance or ordinances supplemental hereto or amendatory hereof, as shall be deemed necessary or



desirable by the City for the purpose of modifying, altering, amending, adding to or rescinding in any particular any of the terms or provisions contained in this ordinance, or in any supplemental ordinance; provided, however, that nothing herein contained shall permit or be construed as permitting:

*An extension of the maturity of the principal of, mandatory sinking fund redemption dates, if any, or interest on any Bond issued pursuant to this ordinance; or*

*A reduction in the principal amount of any Bond or the redemption premium or the rate of interest thereon; or*

*A preference or priority of any Bond or Bonds issued pursuant to this ordinance over any other Bond or Bonds issued pursuant to the provisions of this ordinance; or*

*A reduction in the aggregate principal amount of the Bonds required for consent to such supplemental ordinance.*

In the event that the owners of not less than sixty-six and two-thirds percent (66 2/3%) in aggregate principal amount of the Bonds outstanding at the time of adoption of such supplemental ordinance shall have consented to and approved the adoption thereof by written instrument to be maintained on file in the office of the Controller, no owner of any Bond issued pursuant to this ordinance shall have any right to object to the adoption of such supplemental ordinance or to object to any of the terms and provisions contained therein or the operation thereof, or in any manner to question the propriety of the adoption thereof, or to enjoin or restrain the Council from adopting the same, or from taking any action pursuant to the provisions thereof. Upon the adoption of any supplemental ordinance pursuant to the provisions of this section, this ordinance shall be, and shall be deemed, modified and amended in accordance therewith, and the respective rights, duties and obligations under this ordinance of the City and all owners of Bonds then outstanding, shall thereafter be determined, exercised and enforced in accordance with this ordinance, subject in all respects to such modifications and amendments. Notwithstanding anything contained in the foregoing provisions of this ordinance, the rights and obligations of the City and of the owners of the Bonds authorized by this ordinance, and the terms and provisions of the Bonds and this ordinance, or any supplemental or amendatory ordinance, may be modified or altered in any respect with the consent of the City and the consent of the owners of all the Bonds then outstanding.

SECTION 14. Compliance with Tax Covenants. Notwithstanding any other provisions of this ordinance, the covenants and authorizations contained in this ordinance ("Tax Sections") which are designed to preserve the exclusion of interest on the Bonds from gross income under federal tax law ("Tax Exemption") need not be complied with if the City receives an opinion of bond counsel that any Tax Section is unnecessary to preserve the Tax Exemption.

SECTION 15. Conflicting Ordinances. All ordinances and parts of ordinances in conflict herewith are hereby repealed.

SECTION 16. Headings. The headings or titles of the several sections shall be solely for convenience of reference and shall not affect the meaning, construction or effect of this ordinance.

SECTION 17. Effective Date. This ordinance shall be in full force and effect from and after its adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 325, 2015. Councillor Robinson reported that the Metropolitan and Economic Development Committee heard Proposal No. 325, 2015 on October 26, 2015. The proposal, sponsored by Councillors Gooden and Barth, approves an amendment to the declaratory resolution for the North Midtown Economic Development Area to remove certain parcels from the allocation area. By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Robinson moved, seconded by Councillor Oliver, for adoption. Proposal No. 325, 2015 was adopted on the following roll call vote; viz:

22 YEAS: Barth, Cain, Evans, Freeman, Gooden, Hickman, Holliday, Lewis, Lutz, Mansfield, Mascari, McHenry, Miller, Moriarty Adams, Oliver, Osili, Pfisterer, Robinson, Sandlin, Shreve, Simpson, Tew

0 NAYS:

4 NOT VOTING: Clay, Gray, Jackson, McQuillen

3 ABSENT: Adamson, Hunter, Scales

Proposal No. 325, 2015 was retitled GENERAL RESOLUTION NO. 21, 2015, and reads as follows:

CITY-COUNTY GENERAL RESOLUTION NO. 21, 2015

A GENERAL RESOLUTION approving an amendment to the declaratory resolution for the North Midtown Economic Development Area in the City of Indianapolis, Indiana.

WHEREAS, the Metropolitan Development Commission of Marion County, Indiana (the "Commission"), serves as the Redevelopment Commission of the City of Indianapolis, Indiana under Indiana Code § 36-7-15.1 (the "Act"), and in that capacity, the Commission serves as the governing body of the City of Indianapolis Redevelopment District; and

WHEREAS, the Commission previously adopted and confirmed resolutions (as amended from time to time, collectively, the "Declaratory Resolution") establishing an economic development area known as the "North Midtown Economic Development Area" (the "Economic Development Area"), designating a portion of the Economic Development Area as an "allocation area" (the "Allocation Area") for purposes of the allocation and distribution of property taxes for the purposes and in the manner provided by Section 26 of the Act, and approving a development plan for the Economic Development Area; and

WHEREAS, the Commission, pursuant to the Act, adopted a resolution on October 7, 2015 (the "Amending Resolution") amending the Declaratory Resolution to remove certain parcels of property from the Allocation Area (the "2015 Amendment"), now therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. Pursuant to Section 9 of the Act, the City-County Council of the City of Indianapolis and of Marion County, Indiana (the "City-County Council") approves the Amending Resolution and the 2015 Amendment for the Economic Development Area.

SECTION 2. This resolution shall be in full force and effect upon adoption and compliance with Indiana Code §§ 36-3-4-14, 36-3-4-15 and 36-3-4-16.

PROPOSAL NO. 329, 2015. In Chairman Adamson's absence, Councillor Osili reported that the Public Works Committee heard Proposal No. 328, 2015 on October 22, 2015. The proposal, sponsored by Councillor Adamson, authorizes a transfer of \$50,000 in the 2015 Budget of the Department of Public Works (Rebuild Indy Fund) to cover costs associated with the Safer Routes to School program. By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Osili moved, seconded by Councillor Simpson, for adoption. Proposal No. 329, 2015 was adopted on the following roll call vote; viz:

22 YEAS: Barth, Cain, Evans, Freeman, Gooden, Hickman, Holliday, Lewis, Lutz, Mansfield, Mascari, McHenry, Miller, Moriarty Adams, Oliver, Osili, Pfisterer, Robinson, Sandlin, Shreve, Simpson, Tew  
0 NAYS:  
4 NOT VOTING: Clay, Gray, Jackson, McQuillen  
3 ABSENT: Adamson, Hunter, Scales

Proposal No. 329, 2015 was retitled FISCAL ORDINANCE NO. 46, 2015, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 46, 2015

A FISCAL ORDINANCE amending the City-County Annual Budget for 2015 (City-County Fiscal Ordinance No. 258, 2014) by transferring appropriations for purposes of those departments and agencies listed below.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures, the necessity for which has arisen since its adoption, the City-County Annual Budget for 2015 is hereby amended to reflect the increases and reductions hereinafter stated for purposes of the following departments and agencies, as listed in sections 2 through 15:

SECTION 2. The Department of Public Works, transfers \$50,000 from Character 4 to Character 3 in the Rebuild Indy Fund to cover costs associated with the Safer Routes to School program. The following changes to appropriations are hereby approved:

<b>FUND</b>	<b>CHAR 1</b>	<b>CHAR 2</b>	<b>CHAR 3</b>	<b>CHAR 4</b>	<b>TOTAL</b>
Rebuild Indy (15019)	0	0	50,000	(50,000)	0

SECTION 3. Upon approval of this ordinance, and other ordinances pending before the City-County Council, the estimated 2015 and 2016 year-end unappropriated fund balances of funds that will be reduced as a result of this ordinance are:

	Projected 2015 Year-End Balance	Projected 2016 Year-End Balance
Rebuild Indy	2,343,067	0

SECTION 4. Except to the extent of matching funds, if any, approved in this ordinance, the council does not intend to use the revenues from any local tax regardless of source to supplement or extend the appropriation for the agencies or projects authorized by this ordinance. The supervisor of the agency or project, or both, and the controller are directed to notify in writing the city-county council immediately upon receipt of any information that the agency or project is, or may be, reduced or eliminated.

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

## **ANNOUNCEMENTS AND ADJOURNMENT**

The President said that the docketed agenda for this meeting of the Council having been completed, the Chair would entertain motions for adjournment.

Councillor Barth stated that he had been asked to offer the following motion for adjournment by:


- (1) All Councillors in memory of Harold Day and Amos Brown; and
- (2) Councillor Cain in memory of Natalie O'Dell Peeler and Wilbert Buckner, III; and
- (3) Councillors McQuillen, Pfisterer, Lutz and McHenry in memory of Marcie Thompson; and
- (4) Councillor Lewis in memory of Ann Wright, Justin McMillen, and Geraldine Russell; and
- (5) Councillors McQuillen and Adamson in memory of Mark St. John; and
- (6) Councillor Sandlin in memory of Paul Bird and Samuel Phillips.

Councillor Barth moved the adjournment of this meeting of the Indianapolis City-County Council in recognition of and respect for the life and contributions of Harold Day, Amos Brown, Natalie O'Dell Peeler, Wilbert Buckner, III, Marcie Thompson, Ann Wright, Justin McMillen, Geraldine Russell, Mark St. John, Paul Bird and Samuel Phillips. He respectfully asked the support of fellow Councillors. He further requested that the motion be made a part of the permanent records of this body and that a letter bearing the Council seal and the signature of the President be sent to the families advising of this action.

There being no further business, and upon motion duly made and seconded, the meeting adjourned at 10:08 p.m.

We hereby certify that the above and foregoing is a full, true and complete record of the proceedings of the regular concurrent meetings of the City-Council of Indianapolis-Marion County, Indiana, and Indianapolis Police, Fire and Solid Waste Collection Special Service District Councils on the 9th day of November, 2015.

In Witness Whereof, we have hereunto subscribed our signatures and caused the Seal of the City of Indianapolis to be affixed.



President

ATTEST:



Clerk of the Council

(SEAL)